

JANE WESLEY WILLIAMS #V34888
 California State Prison - Los Angeles
 P.O. Box 4670
 Lancaster, California 93539
 In pro se

FILED

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RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION

CV 08 0160

JSW

(PR)

JANE W. WILLIAMS,
 Plaintiff,

CASE No.

VS.

WARDEN F. (N) NAWES,
 CHIEF DEPUTY WARDEN
 D. FALLON, ASSOCIATE
 WARDEN L. WOLFORD,
 CORRECTIONAL CAPTAIN L.
 PARKER, CORRECTIONAL
 LIEUTENANT C. E. TRACY,
 SENIOR PSYCHOLOGIST E.
 MCQUINNNESS, CORRECTIONAL
 COUNSELOR II. J. CRIEL,
 CORRECTIONAL COUNSELOR I.
 CRUZ, CORRECTIONAL
 OFFICER A. G. BAK, AND
 LICENSED CLINICAL
 SOCIAL WORKER J.
 MORRISSETTE.
 DEFENDANTS.

832.5 CITIZEN'S COMPLAINT
 PURSUANT TO THE CIVIL RIGHTS
 ACT OF 1964 FOR CONSPIRACY
 AGAINST RIGHTS, RETALIATION,
 AND COERCION AND UNUSUAL
 PUNISHMENT IN VIOLATION OF TITLE
 18 (UNITED STATES CODE) SECTIONS
 241, 242, AND 245; 1ST; 6TH; 8TH;
 AND 14TH AMENDMENTS TO THE
 UNITED STATES CONSTITUTION
 WITH ORGANIZED CRIMINAL
 ACTIVITY AND MALEFICANCE

18

Introduction

Plaintiff is an inmate currently incarcerated at the California State Prison - Los Angeles (CSP-LA) where DEFENDANTS, and each of them, have acted in concert and conspired to injure, oppress, threaten, and intimidate Plaintiff in the free exercise or enjoyment of rights and privileges secured to him by the Constitution and laws of the United States and because of Plaintiff having exercised the same, in violation of the First Amendment to the U.S. Constitution and United States Code Title 18, Section(s) 241, 242, and 245.

DEFENDANTS, and each of them, have also violated Section 1986 of Title 42 of the United States Code, which provides that every person who knows that the wrongs proscribed by 42 U.S.C. Section 1985 are about to be committed, but fails to prevent or attempt to prevent them, shall be liable to the party injured. 42 U.S.C. Section 1985 protects against (1) preventing an officer from performing his duties; (2) obstructing justice or intimidating witnesses; or (3) conspiring to deprive persons of rights and privileges protected under the law of any state or territory. See 42 U.S.C. Section 1985 (1)-(3). A cause of action is not provided under Section 1986 absent a valid claim for relief under Section

DEFENDANTS; AND EACH OF THEM, HAVE ACTED IN CONCERT AND USED THE CUSTOMS, HABITS, AND PRACTICES OF THE CODE OF SILENCE (WHICH OPERATES TO CONCEAL WRONGDOINGS BY CORRECTIONAL OFFICIALS: SEE EXHIBIT A HEREIN) TO IMPED, HINDER, OBSTRUCT, HARASS, RETALIATE, DEFEAT, AND THWART, IN EVERY MANNER, PLAINTIFF'S ATTEMPTS WHILE IN THE DUE COURSE OF JUSTICE WITH THE INTENT TO DEPRIVE PLAINTIFF THE EQUAL PROTECTION OF THE LAWS IN VIOLATION OF 42 U.S.C.A. SECTION 1985 OF THE CIVIL RIGHTS ACT. EVEN AFTER TEN (10) YEARS, THE FEDERAL COURT CONTINUES TO ENFORCE DECADE-OLD CALIFORNIA PRISON GUARD "CODE OF SILENCE" RULING. SEE ALSO EXHIBIT A HEREIN.

STATEMENT OF FACTS

1. ON MARCH 23, 2007, PLAINTIFF ARRIVED AT CSP-LA AS A PARTICIPANT IN THE ENHANCED MENTAL PATIENT (EMP) MENTAL HEALTH PROGRAM AND QUICKLY DISCOVERED THAT DEFENDANT HAWES AUTHORIZED, COORDINED, AND USED THE CODE OF SILENCE TO ALLOW SUBORDINATES TO USE EXCESSIVE FORCE AND FELONY ASSAULT EMP INMATES. IN ADDITION, TO FURTHER CONCEAL THE USE OF EXCESSIVE FORCE AND FELONY ASSAULT ON EMP INMATES, DEFENDANT HAWES USED A SOPHISTICATED PRACTICE OF CRIMINAL MALFEASANCE TO CHARGE THE EMP INMATE/VICTIM WITH "BATTERY ON A PEACE OFFICER," FALSELY CLAIMING SO

1 WHILE TEACHING, CORRECTING, AND ALLOWING SUBORDINATES
2 TO DO THE SAME.

3 (2) ON APRIL 19, 2007, PLAINTIFF ASKED DEFENDANT
4 MCQUINNNESS WHY DEFENDANT WAS ALLOWING, THEREBY
5 IGNORING THE ONGOING AND REPEATED USE OF EXCESSIVE
6 FORCE AND FELONY ASSAULT ON EDP INMATES, AS DEFENDANT
7 MCQUINNNESS IS THE SENIOR PSYCHOLOGIST IN CHARGE OF
8 AND OVER THE EDP MENTAL HEALTH PROGRAM, AND
9 MCQUINNNESS RESPONDED BY DISPLAYING DISTASTE AND
10 OFFENSE TO MY CONCERNS THEN ADVISED THAT I "IGNORE"
11 DEFENDANT HAW'S CRIMINAL OPERATIONS IF I "WANTED
12 TO REMAIN IN THE EDP PROGRAM."

13 (3) THIS INCIDENT WAS WITNESSED BY INMATE TIMOTHY
14 MACHAU # J.D1733 (SEE ATTACHED DECLARATION AT EXHIBIT
15 B HEREIN) AND ON APRIL 24, 2007, PLAINTIFF FILED AN
16 ADMINISTRATIVE INMATE APPEAL (LIZ APPEAL) RELATED TO
17 THE INCIDENT INVOLVING DEFENDANT MCQUINNNESS AND
18 EACH LEVEL OF REVIEW AND INVESTIGATIONS WAS
19 DISTORTED, IGNORED, AND DENIED. SEE ALSO EXHIBIT C
20 HEREIN.

21 (4) IN JUNE 2007, PLAINTIFF FILED A CIVIL RIGHTS
22 COMPLAINT PURSUANT TO THE CIVIL RIGHTS ACT OF 1964 WITH
23 THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL
24 BUREAU OF INVESTIGATION IN ORDER TO PROHIBIT
25 DEFENDANT HAW'S UNLAWFUL, UNCONSTITUTIONAL, AND
26 CRIMINAL OPERATIONS OF CSP LA, AND ON JULY 10, 2007,
27 PLAINTIFF RECEIVED THE FOLLOWING RESPONSE FROM
28

1 CONNIE E. SMITH, SUPERVISORY SENIOR RESIDENT AGENT,
2 ATTACHED AS EXHIBIT C HEREIN.

3 (5.) SINCE RECEIVING RESPONSE FROM SUPERVISORY SENIOR
4 RESIDENT AGENT CONNIE E. SMITH PLAINTIFF HAS REPORTED
5 ADDITIONAL EXCESSIVE FORCE AND FELONY ASSAULT ON BOP
6 INMATE INCIDENTS TO AGENT SMITH, ALL OF WHICH WERE
7 IMPOSED MALICIOUSLY, THEN CONCEALED BY DEFENDANT
8 HAWES AND THE INFAMOUS CODE OF SILENCE.

9 (6.) IMMEDIATELY FOLLOWING PLAINTIFF'S CIVIL RIGHTS
10 COMPLAINT TO SENIOR AGENT C. SMITH OF THE UNITED
11 STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF
12 INVESTIGATION, DEFENDANT'S FALLON, CURIEL, AND AREF,
13 ACTING ON BEHALF OF DEFENDANT HAWES, BEGAN
14 INTENTIONALLY OBSTRUCTING AND FRUSTRATING PLAINTIFF'S
15 ACCESS TO THE ADMINISTRATIVE INMATE BOZ APPEAL
16 SYSTEM BY REFUSING TO PROCESS ANY AND ALL INMATE
17 APPEALS WHICH IDENTIFIED OR EXPOSED ANY OF THE
18 CRIMINAL, UNLAWFUL, AND UNCONSTITUTIONAL OPERATIONS
19 AND PRACTICES BY DEFENDANT HAWES AND HIS
20 SUBORDINATES, SO PLAINTIFF'S MOTHER (FLORA LEE) FILED
21 CITIZEN'S COMPLAINT AGAINST DEFENDANT CURIEL WITH
22 DEFENDANT HAWES PURSUANT TO CALIFORNIA PENAL CODE
23 SECTION 832.5, AND DEFENDANT HAWES VIOLATED STATE
24 LAW BY ALLOWING DEFENDANT CURIEL TO RESPOND TO A
25 CITIZEN'S COMPLAINT RELATED TO HIS OWN MISCONDUCT,
26 AND SUCH RESPONSE BY DEFENDANT CURIEL WAS NOT
27 ONLY UNLAWFUL, BUT INTENTIONALLY MISLEADING IN AN
28

1 EFFORT TO CONTINUE THE PRACTICE OF THE CODE OF SILENCE.
 2 SEE EXHIBIT D HEREIN.

3 (A) In July 2007, Plaintiff was summoned to a
 4 classification hearing where Defendant McGuinness
 5 was the chief chair person, and instructed a
 6 subordinate (social worker T. Rodriguez) to initiate
 7 procedures which would bar Plaintiff from the EDP
 8 mental health program by lowering Plaintiff's mental
 9 health level of care.

10 (B) Defendant McGuinness attempted to hide
 11 her malicious and retaliatory removal of Plaintiff
 12 from the EDP program behind a legitimate clinical
 13 decision and the code of silence however, in
 14 addition to being represented by attorneys who are
 15 appointed and/or responsible to ensure compliance
 16 with the Coleman v. Schwarzenegger bidet,
 17 Plaintiff is also a class member in the pending
 18 Heckler v. California Department of Corrections and
 19 Rehabilitation, et al., civil action at case No. 2:05-
 20 CV-02441-LKK-JJM before the United States
 21 District Court, Eastern District of California, and
 22 represented by the Legal Aid Society-Employment
 23 Law Center of San Francisco (Legal Aid Society), and
 24 after several reports to the Legal Aid Society
 25 regarding unlawful, unconstitutional, and criminal
 26 malefeasance being imposed on Plaintiff by Defendant
 27 McGuinness (including others) the Legal Aid Society
 28

1 INVESTIGATED, AND CONCLUDED THAT PLAINTIFF'S REMOVAL
2 FROM THE EOP PROGRAM WAS BEING DONE BY DEFENDANT
3 MCGUINNESS IN RETALIATION FOR PLAINTIFF'S LEGAL ACTIVITY
4 WHICH IS PROTECTED UNDER THE U.S. CONSTITUTION. SEE
5 EXHIBIT E HEREIN.

6 (9.) PLAINTIFF WAS ALSO PROVIDED WITH A DECLARATION
7 BY THE LEGAL AID SOCIETY IN THE HECKER V. CACR AS A
8 DIRECT RESULT OF DEFENDANT MCGUINNESS (INCLUDING
9 OTHERS) HARASSING AND OPPRESSING MALEFEASANCE
10 DIRECTED TOWARD PLAINTIFF FOR LEGAL ACTIVITY (ALSO SEE
11 EXHIBIT E HEREIN) ALL OF WHICH DEFENDANT HAWES
12 IGNORED IN AN EFFECT TO FOSTER THE CODE OF SILENCE.

13 (10.) ON AUGUST 15, 2007, PLAINTIFF FILED AN INMATE 602
14 APPEAL AGAINST DEFENDANT CURIEL FOR REFUSING TO PROCESS
15 PLAINTIFF'S INMATE APPEALS FOR REASONS TOTALLY CONTRARY TO
16 STATE LAW AND DEFENDANT'S HAWES ARE FALLON
17 REPEATEDLY INSTRUCTED DEFENDANT CURIEL TO THWART
18 AND FRUSTRATE PLAINTIFF'S APPEAL EFFORTS SO THAT
19 DEFENDANTS' CAN CONTINUE TO FOSTER THE CODE OF SILENCE.
20 SEE EXHIBIT F HEREIN.

21 (11.) IN MID AUGUST 2007, DEFENDANT MORRISSETTE
22 BEGAN EXPRESSING PERSONAL INTEREST IN PLAINTIFF'S VARIOUS
23 LITIGATIONS AND LEGAL ACTIVITIES. DEFENDANT ALSO
24 REQUESTED EDUCATION AND INFORMATION CONCERNING THE
25 CODE OF SILENCE AND THE GREEN WALL PRISON GUARD GANG,
26 AND PLAINTIFF PROVIDED DEFENDANT MORRISSETTE WITH
27 SEVERAL NEWS CLIPPINGS AND ARTICLES RELATED TO SUCH.
28

(12) IN EARLY SEPTEMBER 2007, DEFENDANT MORRISSETTE SOUGHT LEGAL ADVICE AND ASSISTANCE FROM PLAINTIFF, ADVISING OF BEING "FOOD POISONED" WHILE DINING OUT WITH "FRIENDS" AT A "MARIE CALENDERS" RESTAURANT. DEFENDANT INFORMED PLAINTIFF THAT SHE (MORRISSETTE) DID NOT WANT TO SUE FOR MONEY DAMAGES, BUT ONLY WANTED THE RESTAURANT TO "ACCEPT RESPONSIBILITY" AND COVER "MEDICAL EXPENSES" AND DEFENDANT'S THREE (3) DAYS' LOSS OF WORK."

(13) DEFENDANT MORRISSETTE THEN ASKED PLAINTIFF TO "DRAFT" THE REQUIRED LETTER FOR THE RESTAURANT IN QUESTION, AND PLAINTIFF DID SO ON SEPTEMBER 19, 2007, AND DELIVERED SUCH TO DEFENDANT MORRISSETTE ON SEPTEMBER 21, 2007. SEE EXHIBIT 9 HEREIN.

(14) BETWEEN SEPTEMBER 24, THROUGH 28, 2007, PLAINTIFF PROVIDED DEFENDANT MORRISSETTE WITH VARIOUS OTHER LEGAL DOCUMENTS WHICH DEFENDANT REQUESTED THAT PLAINTIFF PHOTO COPY PRIOR TO, AND DURING THIS EXCHANGE PLAINTIFF MISTAKENLY NEGLECTED TO REMOVE A LETTER ADDRESSED TO "LADY COL" AND ALSO ATTACHED AT EXHIBIT 9 HEREIN.

(15) UPON DISCOVERING THE LETTER ADDRESSED AND INTENDED FOR "LADY COL" (ALONG WITH OTHER LEGAL DOCUMENTS) HAD BEEN GIVEN TO DEFENDANT MORRISSETTE IN ERROR, PLAINTIFF ADVISED DEFENDANT OF THIS ERROR, AND ON THREE SEPERATE OCCASIONS BETWEEN OCTOBER 1, AND 16, 2007, DEFENDANT MORRISSETTE ADVISED

1 PLAINTIFF THAT "I FORGOT TO PUT IT IN MY BAG, I'LL
 2 REMEMBER TOMORROW." ON OCTOBER 16, 2007, WHILE
 3 WAITING WITH INMATE WILSON #66474, TO BE ADMITTED
 4 INTO THE FACILITY'S LAW LIBRARY, DEFENDANT MORRISSETTE
 5 AGAIN CLAIMED TO HAVE "FORGOT" TO PUT PLAINTIFF'S
 6 LEGAL DOCUMENTS AND LETTER TO "LADY COOL" IN HER
 7 BAG TO RETURN TO PLAINTIFF.

8 (16.) ON OCTOBER 22, 2007, PLAINTIFF HAD A ONE
 9 ON ONE INTERVIEW WITH DEFENDANT MCGUINNNESS
 10 REGARDING AN EOP INMATE WHO HAD BEEN RECENTLY
 11 BEEN SUBJECTED TO EXCESSIVE FORCE, AND DURING
 12 THE INTERVIEW PLAINTIFF ADVISED MCGUINNNESS OF
 13 DEFENDANT MORRISSETTE'S CONSTANT EXCUSE IN
 14 RETURNING PLAINTIFF'S LEGAL DOCUMENTS, AND
 15 BECAUSE MCGUINNNESS IS MORRISSETTE'S SUPERVISOR,
 16 PLAINTIFF ASKED DEFENDANT MCGUINNNESS FOR
 17 ASSISTANCE IN HAVING MORRISSETTE "REMEMBER"
 18 TO RETURN PLAINTIFF'S LEGAL DOCUMENTS.

19 (17.) ON OCTOBER 23, 2007, DEFENDANT MORRISSETTE
 20 GAVE PLAINTIFF'S LEGAL DOCUMENTS TO DEFENDANT
 21 MCGUINNNESS, DEFENDANT MCGUINNNESS THEN TOOK THE
 22 DOCUMENTS TO DEFENDANT CULZ (WHO IS OF LOWER
 23 RANK) WHERE BOTH MCGUINNNESS AND CULZ THEN
 24 INITIATED THE CONSPIRACY AGAINST PLAINTIFF.

25 (18.) DEFENDANT'S MCGUINNNESS AND CULZ FIRST
 26 ADVISED, MANIPULATED, AND INSTIGATED DEFENDANT
 27 MORRISSETTE INTO FALSELY CLAIMING TO BE "SCARED"
 28

1 IF PLAINTIFF IN ORDER TO HAVE PLAINTIFF REMOVED FROM
2 THE EDP PROGRAM.

3 (19.) DEFENDANT'S MESQUINNESS AND CUZ THEN
4 WENT TO DEFENDANT PARKER TO GAIN PERMISSION
5 AND AUTHORIZATION TO OPPRESS PLAINTIFF WITH THIS
6 CONSPIRACY HOWEVER, DEFENDANT PARKER DID NOT
7 ACT ON DEFENDANT'S FABRICATION UNTILL DEFENDANT
8 CUZ BEGAN CREATING A SNAKEWAGON FOR OTHER
9 OFFICERS TO ADVISE DEFENDANT PARKER THAT
10 MORRISSETTE ALLEGEDLY "FEARED FOR HER SAFETY."

11 (20.) ON THE EVENING OF OCTOBER 24, 2007, OFFICER
12 DIAZ ADVISED PLAINTIFF THAT "CUZ IS TRYING TO GET
13 YOU PUT IN THE HOLE. I DON'T KNOW WHAT YOU DID TO
14 HIM BUT BE CAREFUL." OFFICER DIAZ THEN PROVIDED
15 PLAINTIFF WITH EXHIBIT H HEREIN WHICH IS A HAND-
16 WRITTEN NOTE WRITTEN BY DEFENDANT CUZ TO
17 DEFENDANT PARKER WHERE CUZ CONTINUED TO
18 CONVINCE, PERSUADE, AND MANIPULATE DEFENDANT
19 PARKER INTO ENFORCING THE ORDER WHICH WOULD
20 CONCUR WITH DEFENDANT'S CONSPIRACY AND CAUSE
21 PLAINTIFF'S SUFFERING.

22 (21.) ON THE MORNING OF OCTOBER 25, 2007, PLAINTIFF
23 WAS ADVISED OF BEING PLACED IN ADMINISTRATIVE
24 SEGREGATION (AD SEG) DUE TO BEING A "THREAT" TO THE
25 SAFETY AND SECURITY OF THE INSTITUTION (SEE ALSO
26 EXHIBIT H HEREIN) AND WHILE SO, LIEUTENANT CAMPBELL,
27 SERGEANT HUERTA, AND OFFICER MESQUISIT SOASTED ABOUT
28

1 how "Wonderful" it felt to get Plaintiff "off the
2 yard" after "all the officers" Plaintiff reported for
3 misconduct and malfeasance. These officials then
4 went on to brag about how Plaintiff "could now" be
5 sent to "Pelican Bay" so things on D-Facility could
6 "go back to normal."

7 (22) On October 26, 2007, Defendant Parker came
8 to review Plaintiff's placement in ad seg order, and
9 informed that Defendant Morrisette further
10 reported and alleged that Plaintiff is known to stand
11 outside her group classes stalking her, and that
12 Plaintiff is indeed a threat to Morrisette. Plaintiff
13 was already depressed and humiliated from being
14 placed in segregation and advised Defendant
15 Parker of being confused due to the effect of
16 psychiatric medications. However, Defendant
17 Parker made no effort to advise Plaintiff of his
18 rights or ensure that Plaintiff was assigned a
19 staff assistance.
20

21 (23) On October 29, 2007, Plaintiff was
22 served with a copy of a disciplinary rules violation
23 report (RVR) written by Defendant Morrisette
24 charging Plaintiff with "Unlawful Influence in
25 violation of Cal. Code of Reg., Title 15 Section 3013
26 which provides that "Inmates may not attempt to
27 gain special consideration or favor from other inmates,
28 employees, institution visitors or any other person

1 BY THE USE OF BRIBERY, THREAT, OR OTHER UNLAWFUL MEANS."
 2 DEFENDANT CHIAK ISSUED PLAINTIFF THE RVR AND ALSO
 3 ADVISED OF BEING THE INVESTIGATIVE EMPLOYEE (I.E.)
 4 ASSIGNED TO GATHER FACTS FOR THE SENIOR HEARING OFFICER
 5 (SHO) WHO WOULD CONDUCT THE DISCIPLINARY HEARING AND
 6 PROCEEDINGS ON THE RVR. SEE EXHIBIT I HEREIN.

7 (24.) DEFENDANT MORRISSETTE'S RVR ALLEGED THAT
 8 ON OCTOBER 12, 2007, PLAINTIFF SIMPLY HANDED HER A
 9 "PACKET OF PAPERWORK" WITHOUT CAUSE, REASON, OR
 10 JUSTIFICATION, AS IF PLAINTIFF COMMITTED SUCH AN ACT AT
 11 RANDOM. DEFENDANT MORRISSETTE ALSO ALLEGED THAT THE
 12 LETTER ADDRESSED TO "LADY CUL" AT EXHIBIT 9 HEREIN,
 13 WAS "SECRETED IN A PILE OF PAPERWORK," AND THAT AS SHE
 14 READ THE LETTER SHE IMMEDIATELY DETERMINED THAT IT
 15 WAS WRITTEN TO HER BECAUSE "IT CONTAINED SEVERAL
 16 PERSONAL COMMENTS THAT ONLY APPLIED" TO DEFENDANT.

17 (25.) ON NOVEMBER 30, 2007, DEFENDANT WOLFORD
 18 CAME INSIDE THE ADJES HUSBING UNIT AND REFUSED TO
 19 PLAINTIFF'S REQUEST TO SPEAK WITH HIM CONCERNING
 20 PLAINTIFF'S PLACEMENT IN SEGREGATION. PLAINTIFF ADVISED
 21 DEFENDANT WOLFORD OF THE ISSUES AND FACTS RAISED BY
 22 THE INSTANT COMPLAINT, INCLUDING THE FACT THAT THE
 23 CALIFORNIA STATE PRISON-LAS ANGELES ADMINISTRATION WAS
 24 ALLOWING DEFENDANT MORRISSETTE TO FALSELY HIDE
 25 BEHIND A SAFETY CONCERN AS AN ACT OF RETALIATION
 26 AGAINST PLAINTIFF FOR VARIOUS COMPLAINTS TO THE U.S.
 27 DEPARTMENT OF JUSTICE, PARTICIPATING IN THE HECKER
 28

1 V. CDCR LAWSUIT, AND FOR ADVOCATING FOR OTHER EOP
 2 INMATES. DEFENDANT WOLFORD GAVE PLAINTIFF A SINISTER
 3 SMILE AND STATED "YOUR RIGHT, YOUR ABSOLUTELY RIGHT MR.
 4 WILLIAMS, BUT WE HAD TO SLOW YOU DOWN SOME KIND OF
 5 WAY," AND WALKED OFF, LEAVING PLAINTIFF OPPRESSED
 6 AND IN DISTRESS. THE ENTIRE EXCHANGE WITH DEFENDANT
 7 WOLFORD WAS WITNESSED BY INMATE E. DAPPER WHO WAS
 8 HOUSED DIRECTLY NEXT door TO PLAINTIFF. SEE EXHIBIT
 9 J HEREIN

10 (26.) ON OR ABOUT NOVEMBER 30, 2007, DEFENDANT
 11 CBARK CAME TO INTERVIEW PLAINTIFF IN ORDER TO BEGIN
 12 CONDUCTING INVESTIGATION INTO THE ALLEGATIONS ALLEGED BY
 13 DEFENDANT MURCISSETTE, AND PLAINTIFF PRESENTED
 14 CBARK WITH WRITTEN QUESTIONS FOR WITNESSES
 15 DEFENDANT'S MURCISSETTE, MCGWINNESS, AND PAKER AND
 16 INMATES ARCHIE HARMON # 52167, AND D. WILSON # K-66474
 17 SEE ALSO EXHIBIT J HEREIN.

18 (27.) WHEN PLAINTIFF PROVIDED DEFENDANT CBARK WITH
 19 WRITTEN QUESTIONS FOR WITNESSES CBARK MADE A COPY
 20 OF SUCH FOR PLAINTIFF WHILE KEEPING THE ORIGINAL, AND
 21 BECAUSE INMATE A. HARMON WAS ALSO IN AD SEG, CBARK
 22 CONDUCTED A FACT FINDING INTERVIEW WITH INMATE A.
 23 HARMON THE SAME DAY RECEIVING WRITTEN QUESTIONS FOR
 24 WITNESSES FROM PLAINTIFF.

25 (28.) ON NOVEMBER 1, 2007, PLAINTIFF WAS TAKEN
 26 BEFORE THE AD SEG CLASSIFICATION COMMITTEE WHERE
 27 DEFENDANT HAWS PERSONALLY SAT AS CHIEF CHAIR
 28

PERSON OVER THE COMMITTEE. PLAINTIFF PRESENTED A
 WRITTEN REQUEST FOR WITNESSES AND DOCUMENTARY
 EVIDENCE DURING THE CLASSIFICATION HEARING AS PROVIDED
 BY CAL. CODE OF REG., TITLE 15 SECTION 3337(5) AND
 3338(2) THROUGH (1), IN ORDER TO PROVE TO THE COMMITTEE
 THAT PLAINTIFF'S RETENTION IN AD SEG WAS NOT WARRANTED.
 DEFENDANT HAWES RESPONDED BY ADVISING THE
 COMMITTEE THAT PLAINTIFF IS "CONFUSED" AND HAD NO
 RIGHT TO CALL WITNESSES OR INTRODUCE EVIDENCE AT A
 CLASSIFICATION HEARING, AND THAT PLAINTIFF ONLY HAD SUCH
 RIGHTS DURING A DISCIPLINARY HEARING ON A P.R. PLAINTIFF
 THEN REQUESTED THE COMMITTEE TO TURN TO SECTION
 3337(5) IN THE TITLE 15, AND DEFENDANT HAWES
 QUICKLY BECAME ANGRY AND STATED "I DON'T CARE WHAT
 THE RULES SAY, YOU'RE STAYING IN THE HOLE," AND ORDERED
 PLAINTIFF'S UNLAWFUL RETENTION IN AD SEG FOR 60 DAYS.
 SEE EXHIBIT K HEREIN.

(29.) ON OR ABOUT NOVEMBER 7, 2007, JUST SEVEN OR
 SO DAYS AFTER INMATE WITNESS A. HARMON WAS
 INTERVIEWED BY DEFENDANT CRAB AND DISCLOSED FACTS
 AND INFORMATION WHICH PROVED THAT DEFENDANT
 MURRISSETTE DISCLOSED PERSONAL INFORMATION ABOUT
 HERSELF TO PLAINTIFF (AND OTHER INMATES) PRIOR TO THE
 DATE OF RECEIVING THE "PACKET OF DOCUMENTS" FROM
 PLAINTIFF, AND THE FACT THAT HE (INMATE HARMON)
 WITNESSED DEFENDANT MURRISSETTE SEEK LEGAL
 ADVICE AND ASSISTANCE FROM PLAINTIFF, INMATE HARMON

1 WAS SUBJECTED TO RETALIATION BY BEING ISSUED A SOGUS
2 RULES VIOLATION REPORT AUTHORED BY DEFENDANT
3 MORRISSETTE, APPROVED BY DEFENDANT PARKER, AND
4 ISSUED BY DEFENDANT CRACK. SEE ALSO EXHIBIT K
5 HEREIN.

6 (30.) ON NOVEMBER 12, 2007, DEFENDANT CRACK
7 PROVIDED PLAINTIFF WITH A COPY OF THE INVESTIGATIVE
8 REPORT RELATED TO THE ALLEGATIONS ALLEGED BY DEFENDANT
9 MORRISSETTE AND THE FIRST THING PLAINTIFF NOTICED WAS
10 THAT THE STATEMENTS AND FACTS GATHERED FROM INMATES
11 A. HARRISON AND J. WILSON WERE NOT PLACED IN THE
12 REPORT. SEE EXHIBIT L HEREIN.

13 (31.) PLAINTIFF THEN NOTICED THAT DEFENDANT
14 MORRISSETTE WAS ALLOWED TO WITHHOLD AND CONCEAL
15 FACTS BY PLEA OF IGNORANCE OR REFUSAL TO ANSWER
16 QUESTIONS RELATED TO HER OWN DISCIPLINARY REPORT
17 FILED AGAINST PLAINTIFF. MORRISSETTE NOT ONLY
18 FABRICATED BY DENYING THAT PLAINTIFF HAD PROVIDED
19 LEGAL ADVICE AND ASSISTANCE BUT ALSO INDICATED THAT
20 THE DAY IN QUESTION WAS THE FIRST AND ONLY TIME
21 PLAINTIFF HAD EVER PROVIDED AND/OR GAVE DEFENDANT
22 LEGAL DOCUMENTS.

23 (32.) PLAINTIFF NEED ALSO POINT OUT THAT WHEN ASKED AT
24 QUESTION #7 THE EVIDENCE RELIED UPON IN ALLEGING THAT
25 PLAINTIFF IS A THREAT DEFENDANT SIMPLY STATED THAT SHE
26 WAS "UNCOMFORTABLE," AT QUESTION #12, CONCERNING THE
27 PER WRITTEN WHERE DEFENDANT STATED "AS I READ THE
28

1 SUBJECT LETTER, I IMMEDIATELY DETERMINED THAT IT HAD
 2 BEEN WRITTEN TO ME, AS IT CONTAINED SEVERAL PERSONAL
 3 COMMENTS THAT APPLIED ONLY TO ME," DEFENDANT REFUSED
 4 TO DEFINE AND/OR EXPLAIN THE "SEVERAL PERSONAL
 5 COMMENTS" ALLEGED, AND AT QUESTION #14, WHEN ASKED
 6 HOW PLAINTIFF BECAME AWARE OF THE INFORMATION WHICH
 7 DEFENDANT DESCRIBED AS "SEVERAL PERSONAL COMMENTS,"
 8 MORRISSETTE FALSELY CLAIMS THAT PLAINTIFF USED HIS
 9 "IMAGINATION" TO DETERMINE THE SPECIFIC DETAILS OF HER
 10 FOOD POISONING. SEE EXHIBIT L HEREIN.

11 (33.) ON NOVEMBER 21, 2007, PLAINTIFF WAS CALLED FOR
 12 THE DISCIPLINARY HEARING ON THE REPORT WRITTEN BY
 13 DEFENDANT MORRISSETTE, AND DEFENDANT BELTRAN WAS
 14 THE SENIOR HEARING OFFICER (SHO). PLAINTIFF EXPLAINED TO
 15 DEFENDANT BELTRAN HOW INMATE WITNESSES STATEMENTS
 16 WERE MISSING FROM THE REPORT AND REQUESTED THAT
 17 THESE INMATE WITNESSES BE ALLOWED TO BE HEARD ON
 18 PLAINTIFF'S BEHALF. PLAINTIFF ALSO REQUESTED THAT
 19 DEFENDANT MORRISSETTE BE PRESENT AT THE HEARING,
 20 ALL OF WHICH DEFENDANT BELTRAN DENIED.

21 (34.) PLAINTIFF THEN EXPLAINED TO DEFENDANT BELTRAN
 22 THE MISTAKE IN GIVING DEFENDANT MORRISSETTE THE LETTER
 23 ADDRESSED TO "LADY CUD" AND POINTED OUT THAT THE
 24 LETTER COULD NOT HAVE BEEN INTERPRETED FOR DEFENDANT
 25 MORRISSETTE BECAUSE (1) THE LETTER MAKES NO MENTION
 26 TO MORRISSETTE'S EXPERIENCE WITH FOOD POISONING, AND
 27 (2) PLAINTIFF HAS NEVER VISITED WITH MORRISSETTE,
 28

1 Plaintiff has never written to Morrisette or called
 2 her collect, and Plaintiff does not know any of
 3 Morrisette's family or friends.

4 (35.) In response to Plaintiff's defense and
 5 explanation, Defendant Beltan stated "I believe
 6 you Mr. Williams, but I'm going to find you guilty
 7 because "they" want you transferred."

8 (36.) Since October 25, 2007, Plaintiff has been
 9 unlawfully held in Ad Seg under inhumane
 10 conditions of confinement due to inadequate food,
 11 clothing, medical care, and sanitation, and this is
 12 interpreted as punishment for Plaintiff's legal activity.

13 (37.) Plaintiff has been unable to attend exercise
 14 yard in Ad Seg due to not being provided with winter
 15 clothing to ward off the cold. In addition, Defendant
 16 Haws has a policy where African American Ad Seg
 17 inmates are not allowed to comb their hair, and after
 18 a few weeks of such racial hate and discrimination
 19 Plaintiff hair is matted and tangled, and Defendant
 20 Haws permits his subordinates to make jokes about
 21 Plaintiff's appearance, so Plaintiff has been not only
 22 humiliated, but embarrassed to leave his cell, and
 23 this is interpreted as punishment for Plaintiff's legal
 24 activity.

25 (38.) On October 25, 2007, Plaintiff filed an inmate
 26 602 appeal related to the mistreatment imposed while
 27 being placed in Ad Seg, and as of date, Defendant
 28

1 CURIEL HAS REFUSED TO PROCESS PLAINTIFF'S ADMINISTRATIVE
2 APPEAL ACCORDING TO STATE LAW.

3 (39.) ON NOVEMBER 1, 2007, PLAINTIFF FILED AN INMATE
4 602 APPEAL RELATED TO THE MALTREATMENT IMPOSED BY
5 DEFENDANT'S MCGUINNNESS, CUDZ, AND MORRISSETTE, AND
6 AS OF DATE, DEFENDANT CURIEL HAS REFUSED TO PROCESS
7 PLAINTIFF'S ADMINISTRATIVE APPEAL ACCORDING TO STATE LAW.

8 (40.) ON NOVEMBER 7, 2007, PLAINTIFF FILED AN INMATE
9 602 APPEAL RELATED TO THE MISCONDUCT IMPOSED BY
10 DEFENDANT WATFORD, AND AS OF DATE, DEFENDANT CURIEL
11 HAS REFUSED TO PROCESS PLAINTIFF'S ADMINISTRATIVE
12 APPEAL ACCORDING TO STATE LAW.

13 (41.) ON NOVEMBER 16, 2007, PLAINTIFF FILED AN INMATE
14 602 APPEAL RELATED TO THE UNLAWFUL COMMITTEE
15 IMPOSED BY DEFENDANT HALWS, AND AS OF DATE,
16 DEFENDANT CURIEL HAS REFUSED TO PROCESS PLAINTIFF'S
17 ADMINISTRATIVE APPEAL ACCORDING TO STATE LAW.

18 (42.) ON NOVEMBER 23, 2007, PLAINTIFF FILED AN INMATE
19 APPEAL RELATED TO THE MISCONDUCT IMPOSED BY
20 DEFENDANT BLAK WHILE ACTING AS INVESTIGATIVE
21 EMPLOYEE, AND AS OF DATE, DEFENDANT CURIEL HAS REFUSED
22 TO PROCESS PLAINTIFF'S ADMINISTRATIVE APPEAL ACCORDING TO
23 STATE LAW.

24 (43.) EACH INMATE 602 APPEAL MENTIONED ABOVE IS
25 BEING INTENTIONALLY WITH HELD FROM PROCESSING UNDER THE
26 ORDERS AND SUPERVISION OF DEFENDANT HALWS HIMSELF
27 FOR THE SOLE PURPOSE OF CONCEALING THE UNLAWFUL,
28

UNCONSTITUTIONAL, AND RETALIATORY CRIMINAL MALFEASANCE
IMPOSED UPON PLAINTIFF'S PERSON FOR LEGAL ACTIVITY.

CONCLUSION

44. BECAUSE DEFENDANT HAWES IS DIRECTLY INVOLVED
IN THE MISTREATMENT AND OPPRESSION OF PLAINTIFF WHICH
IS AS A DIRECT RESULT OF CONSPIRACY AGAINST RIGHTS,
AND BECAUSE THE SUFFERING OF PLAINTIFF IS NOT
RELATED TO LEGITIMATE CORRECTIONAL GOALS, PLAINTIFF
REQUEST THAT (IN ADDITION TO VIOLATION OF FEDERAL LAWS)
DEFENDANT HAWES, AND THOSE ACTING IN CONCERT WITH
HIM, BE PROSECUTED FOR VIOLATION OF CALIFORNIA PENAL
CODE SECTION 147 [INHUMANITY TO PRISONERS] WHICH
PROVIDES THAT "EVERY OFFICER WHO IS GUILTY OF
WILLFUL INHUMANITY OR OPPRESSION TOWARD ANY PRISONER
UNDER HIS CARE OR IN HIS CUSTODY, IS PUNISHABLE BY
FINE NOT EXCEEDING FOUR THOUSAND DOLLARS (\$4,000) AND
BY REMOVAL FROM OFFICE."

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE
ABOVE PARAGRAPHS ONE (1) THROUGH 44 ARE TRUE AND
CORRECT, THE SAME AS THE ATTACHED EXHIBITS A-THROUGH
L HEREIN UNDER THE LAWS OF THE STATE OF CALIFORNIA AND
THE UNITED STATES. EXECUTED ON THIS 28TH DAY OF
NOVEMBER 2007, AT LANCASTER, CALIFORNIA.

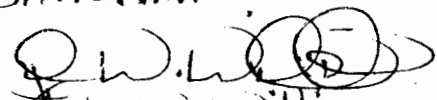

JOHN W. WILLIAMS
DECLARANT

EXHIBIT A

State of California

Youth and Adult Correctional Agency

Memorandum

Date : February 17, 2004

To : All California Department of Corrections Employees

Subject: ZERO TOLERANCE REGARDING THE "CODE OF SILENCE"

The California Department of Corrections (CDC) is only as strong as the values held by each of its employees, sworn and non-sworn. How we conduct ourselves inside our institutions and in the Central Office is a reflection of those values.

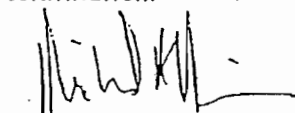
The "Code of Silence" operates to conceal wrongdoing. One employee, operating alone, can foster a Code of Silence. The Code of Silence also arises because of a conspiracy among staff to fail to report violations of policy, or to retaliate against those employees who report wrongdoing. Fostering the Code of Silence includes the failure to act when there is an ethical and professional obligation to do so.

Every time a correctional employee decides not to report wrongdoing, he or she harms our Department and each one of us by violating the public's trust. As members of law enforcement, all Correctional Officers must remain beyond reproach. The public's trust in this Department is also violated by retaliating against, ostracizing, or in anyway undermining those employees who report wrongdoing and/or cooperate during investigations. There is no excuse for fostering a Code of Silence.

Your hard fought efforts to protect the public deserve recognition. Recently, however, the public's trust has been undermined by the operation of a Code of Silence within the CDC. To correct this problem we are taking steps to ensure the Department exemplifies integrity and instills pride. Part of this effort is the immediate implementation of a zero tolerance policy concerning the Code of Silence. We will not tolerate any form of silence as it pertains to misconduct, unethical, or illegal behavior. We also will not tolerate any form of reprisal against employees who report misconduct or unethical behavior, including their stigmatization or isolation.

Each employee is responsible for reporting conduct that violates Department policy. Each supervisor and manager is responsible for creating an environment conducive to these goals. Supervisors are responsible for acquiring information and immediately conveying it to managers. Managers are responsible for taking all appropriate steps upon receipt of such information, including initiating investigations and promptly disciplining all employees who violate departmental policy.

Any employee, regardless of rank, sworn or non-sworn, who fails to report violations of policy or who acts in a manner that fosters the Code of Silence, shall be subject to discipline up to and including termination.



RICHARD RIMMER
Director (A)
California Department of Corrections



RODERICK Q. HICKMAN
Agency Secretary
Youth and Adult Correctional Agency

05 DEC 22 PM '04

Federal Court Continues To Enforce Decade-Old California Prison Guards' "Code-Of-Silence" Ruling

The United States District Court (N.D. Cal.) reviewed progress on its 11-year-old federal court remedial action to eliminate a pernicious code-of-silence by prison guards (most notably at the California Department of Corrections and Rehabilitation's (CDCR) supermax Pelican Bay State Prison). There, investigations of excessive use-of-force complaints against prisoners had been stifled by administration policies grounded in collusion between the Director of Corrections and the prison guards' union (CCPOA). Specifically, the court reviewed an August 22, 2006 report by Special Master John Hagar as to suspected retrenchment after the prior decade of agonizingly reticent progress towards court-ordered compliance, and made further orders.

The court's initial order in this matter, in 1995, found unabashed complicity between top CDCR officials and the CCPOA that literally nurtured the insidious twin events of guard brutality against prisoners and officially-sanctioned cover-up by staff. Culminating in both criminal convictions and court remedial orders, the 1995 smack-down was nonetheless vigorously resisted by CDCR staff. Special Master John Hagar, along with the state's lately reinvigorated Inspector General, maintained strong watchdog supervision of the court's orders.

In his most recent report, Hagar complained of perceived regression by the parties, most notably in the sudden resignations of two outspoken anti-code-of-silence Secretaries of Corrections (Rod Hickman and Jeanne Woodford) in a six-week period in early 2006.

After an October 5, 2006 hearing on Hagar's report, the court issued its findings. While adopting the agreement between the CCPOA and CDCR as to new investigative policies upon a prisoner's excess use-of-force complaint [which restrict the accused guard from immediate access to underlying documentation, so as to avoid manipulation before a formal hearing/resolution], the court directed Hagar to continue to monitor this to prevent backsliding. The court accepted the success story attached to the Bureau of Independent Review, an adjunct to the Inspector General's office that monitors each such complaint in real-time as it moves through the resolution process, to

prevent cheating. Hagar shall further meet with the parties every 45 days to closely monitor the process, and report quarterly to the court. The court made it very clear that it would not tolerate any regression to code-of-silence ways.

Importantly for Hagar, who suspected disingenuous pressure on Hickman and

Woodford, the court ordered a hearing in December 2006 to take testimony from both to determine what caused their resignations. Hagar's next report and recommendation to the court is due January 31, 2008. See: *Madrid v. Tilton* [formerly *Gomez*], C90-3094 TEH, Order, November 16, 2006. ■

EXHIBIT B

1 DECLARATION OF TIMMY McHAUL

2 I, Timmy McHaul do hereby declare:

3 1. I am an inmate of the California Department of
4 Corrections & Rehabilitation currently incarcerated at the
5 California State Prison Lancaster, in Lancaster, California
6 under registry number #J-01733, and if called as a witness
7 to testify to the following facts which are within my personal
8 knowledge I could and would competently testify thereto.

9 2. I am familiar with John W. Williams #V-34099, from the
10 EOP mental health program and services on D-facility at said
11 prison, and on or about April 19, 2007, during Therapeutic
12 Community meeting being held by Senior Psychologist
13 McGuinness, I witnessed J.W. Williams #V-34099 (Williams) address
14 a concern to McGuinness regarding inmate patients being
15 maliciously beaten by various Correctional Officers, and
16 McGuinness advised Williams to speak with her after the
17 Therapeutic Community meeting had been concluded.

18 3. After which, Williams spoke with McGuinness related to
19 staff assault of EOP inmate patients and the cover up in order
20 to sustain such, and I then overheard McGuinness state to
21 Williams "I would advise you to leave this issue alone if you
22 want to remain in this program."

23 I declare under the penalty of perjury under the laws
24 of the State of California and the United States that the
25 following is true and correct and was Executed on this 4th
26 day of May 2007, at Lancaster, California.

27 

28 TIMMY McHAUL: J-01733

DECLARANT:

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND REHABILITATION
INMATE APPEALS BRANCH
P. O. BOX 942883
SACRAMENTO, CA 94283-0001
DIRECTOR'S LEVEL APPEAL DECISION

Date: AUG 27 2007

In re: Williams, V-34099
California State Prison, Los Angeles County
44750 - 60th Street West
Lancaster, CA 93536-7620

IAB Case No.: 0615971 Local Log No.: LAC 07-01061

This matter was reviewed on behalf of the Director of the California Department of Corrections and Rehabilitation (CDCR) by Appeals Examiner S. Wright, Facility Captain. All submitted documentation and supporting arguments of the parties have been considered.

I APPELLANT'S ARGUMENT: It is the appellant's position that Dr. McGuinness is ignoring the mistreatment of Enhanced Outpatient Program (EOP) inmates. The appellant requests that Dr. McGuinness be prohibited from obstructing, ignoring, and denying mistreatment of EOP inmates. The appellant also requests that the Chief Psychologist be prohibited from ignoring Dr. McGuinness abandonment of EOP patients. In addition, the appellant requests that the Coleman monitors be advised of the issues raised in this appeal.

II SECOND LEVEL'S DECISION: The reviewer found the appellant was interviewed on May 10, 2007, by Dr. Kottraba. A review of the allegations of staff misconduct presented in the written complaint has been completed. Based upon this review, the appellant's appeal has been processed as a Staff Complaint Appeal Inquiry. The following witnesses were questioned as a result of the appellant's allegations of staff misconduct: None. The following information was reviewed as a result of the appellant's allegation of staff misconduct: The appellant's appeal and all attachments. The appellant's appeal was partially granted at the Second Level of Review (SLR).

III DIRECTOR'S LEVEL DECISION: Appeal is denied.

A. FINDINGS: Upon review of the documentation submitted, it is determined that the appellant's allegations have been reviewed and evaluated by the administrative staff and an appeal inquiry has been completed at the SLR.

In event that staff misconduct was substantiated, the institution would take the appropriate course of action. All staff personnel matters are confidential in nature and not privy to the inquiries of other staff, the general public or the inmate population, and would not be released to the appellant. However, upon completion of final review, or culmination of an appeal inquiry, the appellant is to be notified by the respective staff that an inquiry has been completed. On July 16, 2007, the examiner reviewed the related confidential appeal inquiry report and verified that developed information supports the reviewer's conclusion. Although the appellant has the right to submit an appeal as a staff complaint, the request for administrative action regarding staff or the placement of documentation in a staff member's personnel file is beyond the scope of the appeals process.

B. BASIS FOR THE DECISION:

California Penal Code Section: 832.5, 832.7, 832.8

California Code of Regulations, Title 15, Section: 3001, 3004, 3005, 3084.1, 3380, 3391

Administrative Bulletin 05/03: PROCESSING OF ADULT INMATE/PAROLEE APPEALS,
CDC FORM 602, WHICH ALLEGE STAFF MISCONDUCT

C. ORDER: No changes or modifications are required by the institution.

WILLIAMS, V-34099
CASE NO. 0615971
PAGE 2

This decision exhausts the administrative remedy available to the appellant within CDCR.

A handwritten signature in black ink, appearing to be 'N. Grannis', with a stylized, cursive script.

N. GRANNIS, Chief
Inmate Appeals Branch

cc: Warden, LAC
Appeals Coordinator, LAC

PURSUANT TO PEDA/ LAFB B32.5

**INMATE/PAROLEE
APPEAL FORM**
CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1.

1.

2.

2.

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
James Williams	V-311055		D-1133

A. Describe Problem: DO APRIL 19, 2007, DURING EDP THERAPEUTIC COMMUNITY MEETING, I SPoke WITH SENIOR PSYCHIATRIST MCGUIRESS REGARDING A DISRUPTION OF THE EDP MENTAL HEALTH PROGRAM IMPOSED BY GREENWALL PRISON GANG MEMBERS IS DISGUISED AS CORRECTIONAL OFFICERS WHO ARE TERRORIZING THE PROGRAM WITH CONSTANT AND CEMENTED MALICIOUS USE OF DEADLY FORCE. SENIOR PSYCHIATRIST MCGUIRESS COMPLETELY ABSTAINED, IGNORED, AND (SEE ATTACHMENT)

B. Action Requested: THAT MCGUIRESS BE PROHIBITED FROM DISRUPTING, IGNORING AND ABSTAINING THE MISTREATMENT OF EDP INMATES, THAT THE SENIOR PSYCHIATRIST BE PROHIBITED FROM CONTINUING THE EXISTING MCGUIRESS ABANDONMENT OF EDP PATIENTS BASED ON

Inmate/Parolee Signature: [Signature] Date Submitted 4-24-07

C. INFORMAL LEVEL (Date Received: _____)

Staff Response: _____

BYPASS

Staff Signature: _____ Date Returned to Inmate: _____

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

BYPASS

Signature: _____ Date Submitted: _____

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

RECEIVED
JUN 5 2007
BRANCH 4
CDC Appeal Number: _____

First Level ☐ Granted ☐ P. Granted ☐ Denied ☐ Other

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: _____ Due Date: _____

Interviewed by: _____

BYPASS

Staff Signature: _____ Title: _____ Date Completed: _____

Division Head Approved: _____ Returned: _____

Signature: _____ Title: _____ Date to Inmate: _____

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

PASS

Signature: _____ Date Submitted: _____

Second Level ☐ Granted ☒ P. Granted ☐ Denied ☐ OtherG. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: 4-27-07 Due Date: 6-8-07☒ See Attached LetterSignature: C. Kothakota Date Completed: 5/10/07Warden/Superintendent Signature: [Signature] Date Returned to Inmate: MAY 29 2007

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

DESPITE THE FACT THAT THIS APPEAL HAS BEEN PARTIALLY GRANTED
NOTHING HAS BEEN DONE TO ADDRESS OR CORRECT THE ABUSE IMPOSED
AND DO MCGUINNESS HAS NOT COME FORWARD TO ADDRESS THE
PERSONAL KNOWLEDGE CONCERNING THE ISSUES RAISED BY THIS APPEAL
AND THE OFFICIALS INVOLVED HAVE BEEN PROTECTED BY THE CODE
OF SILENCE.

Signature: [Signature] Date Submitted: 5-30-07

For the Director's Review, submit all documents to: Director of Corrections
 P.O. Box 942883
 Sacramento, CA 94283-0001
 Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION: ☐ Granted ☐ P. Granted ☒ Denied ☐ Other☒ See Attached Letter

AUG 27 2007

Date: _____

DEFENDED THE WANTED MISTREATMENT OF HER PATIENTS AND ALL ISSUES RELATED TO SUCH WITH A WHEELLESS AND JOURNALLY DISREGARD FOR THE WELFARE UNDER THE BOTH AMENDMENT TO THE U.S. CONSTITUTION. I WENT ON TO EXPLAIN TO SENIOR PSYCHOLOGIST MCGWINNESS THAT AS LONG AS SHE IS IN CHARGE OVER THE EDP PROGRAMS AND SERVICES SHE HAS AN OBLIGATION TO THE WELFARE OF HER PATIENTS, AND BY IGNORING THE CRIMINAL DISRUPTION TO THE MENTAL HEALTH PROGRAMS SHE IS ALSO IGNORING THE DUTIES AND OBLIGATIONS OF A DOCTOR AND SENIOR PSYCHOLOGIST, IN VIOLATION TO SUCH AS MANDATED UNDER BUSINESS AND PROFESSION CODE(S). MCGWINNESS REPLIED TO MY COLLEAGUES WITH DISTASTE, ADVISING THAT IT SHOULD IGNORE HER FAILURES, VIOLATED HER DUTIES AND OBLIGATIONS TO THE EDP COMMUNITY IF I WANTED TO REMAIN IN THE MENTAL HEALTH PROGRAM. I THEN ADVISED MCGWINNESS THAT I WOULD INFORM THE CITIZEN LEADERS OF HER THESE ACTIONS AND UNWELCOMING ATTITUDES TOWARDS HER PATIENTS AND MCGWINNESS STATED "I DON'T CARE, THE CITIZEN LEADERS ARE COMING TO TWEET'S SO LET THEM KNOW."

THE FACT THAT MCGWINNESS WAS DIRECT AND PERSONAL INDICATES THE ISSUES RAISED BY THIS APPARENT CONSPIRACY DELIBERATE TO HIDE SECRETS AS THE FAILURE TO ACT WHEN THERE IS A PROFESSIONAL, ETHICAL, AND ETHICAL OBLIGATION TO DO SO FURTHER CONSTITUTES A WHEELLESS DISREGARD FOR THE RIGHTS UNDER THE AMERICAN LEGAL SYSTEM WITH VIOLATION OF THE STATE OF CALIFORNIA AND THE UNITED STATES, INCLUDING ALL OTHERS WHO DEFEND OR SERVE SYMPATHIZING MCGWINNESS TO HUSKERS AND FUNDING AND SUPPORTING MENTAL HEALTH CARE.

ACTION REQUESTED CONTINUED:

DELIVERABLE IS THE FACTS, THAT THE CLEMENCY
COMMISSION HAS ADVISED BY CSP LACROIXE MENTAL
HEALTH OFFICIALS OF THE ISSUES CAUSING THIS APPEAL,
AND THAT IT SUPPORTS AS REQUESTED BY REGULATIONS AND/OR
PRISON OFFICIALS BY FILING THIS APPEAL. A FURTHER CRITERIA
IN THE INTERESTS OF JUSTICE.

State of California

Attachment E 2/21/06
Department of Corrections and Rehabilitation

Memorandum

Date : 5/10/07

To : Inmate Williams V 34099

Subject: **STAFF COMPLAINT RESPONSE - APPEAL # LAC D-07-01061**

APPEAL ISSUE: In your appeal dated 4/24/07, you requested that Dr. McGuinness be prohibited from obstructing, ignoring, and denying mistreatment of EOP inmates. You also requested that the Chief Psychologist be prohibited from ignoring Dr. McGuinness' abandonment of EOP patients. Finally, you requested that the Coleman monitors be advised of the issues raised in this appeal.

DETERMINATION OF ISSUE: A review of the allegations of staff misconduct presented in the written complaint has been completed. Based upon this review, your appeal has been handled as follows:

- ☒ PROCESSED AS A STAFF COMPLAINT APPEAL INQUIRY
☐ REFERRED TO THE OFFICE OF INTERNAL AFFAIRS (Note: You will be notified of the conclusion of any internal affairs investigation)

SUMMARY FOR APPEAL INQUIRY:

You were interviewed on 5/10/07 by Dr. Kottraba, Chief Psychologist (A). During the interview, you reiterated your concern about Dr. McGuinness ignoring the mistreatment of EOP inmates. You did not provide any additional supporting documentation during the interview on 5/10/07, and no witnesses were questioned on the appeal issues, as there were none provided. The following information was reviewed as a result of your allegations of staff misconduct: This appeal with attachments and the California Code of Regulations (CCR), Title 15.

FINDINGS FOR AN APPEAL INQUIRY:

Your appeal is PARTIALLY GRANTED at the ☐ First level ☒ Second level, as an inquiry into your allegation has been conducted. ALL STAFF PERSONNEL MATTERS ARE CONFIDENTIAL IN NATURE. As such, results of any inquiry/investigation will not be shared with staff, members of the public, or inmates. Although you have the right to submit a staff complaint, a request for administrative action regarding staff or the placement of documentation in a staff member's personnel file is beyond the scope of the staff complaint process.

Allegations of staff misconduct do not limit or restrict the availability of further relief via the inmate appeals process. If you wish to appeal the decision, you must submit your staff complaint appeal through all levels of appeal review up to, and including, the Director's Level of Review. Once a decision has been rendered at the Director's Level of Review, your administrative remedies will be considered exhausted.

C. Kottraba, PhD
Chief Psychologist (A)

5/10/07
Date

L. Belar, PhD
Health Care Manager (A)

5/23/07
Date

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

CDC 1858 (2/97)

RIGHTS AND RESPONSIBILITY STATEMENT

The California Department of Corrections has added departmental language (shown inside brackets, in non-boldface type) for clarification purposes.

Pursuant to Penal Code 148.6, anyone wishing to file an allegation of misconduct by a departmental peace officer must read, sign and submit the following statement:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER [this includes a departmental peace officer] **FOR ANY IMPROPER POLICE** [or peace] **OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS'** [or inmates'/parolees'] **COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN** [or inmate/parolee] **COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE. [An inmate/parolee who makes a complaint against a departmental peace officer, knowing it is false, may be issued a serious disciplinary rule violation, in addition to being prosecuted on a misdemeanor charge.]

COMPLAINANT'S PRINTED NAME <i>John Williams</i>	COMPLAINANT'S SIGNATURE <i>[Signature]</i>	DATE SIGNED <i>April 24, 07</i>	
INMATE/PAROLEE PRINTED NAME <i>John Williams</i>	INMATE/PAROLEE'S SIGNATURE <i>[Signature]</i>	CDC NUMBER <i>V34099</i>	DATE SIGNED <i>4.24.07</i>
RECEIVING STAFF'S PRINTED NAME	RECEIVING STAFF'S SIGNATURE <i>[Signature]</i>	DATE SIGNED	

DISTRIBUTION:

ORIGINAL -

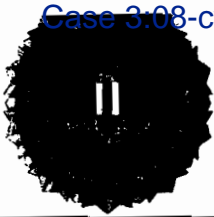
Public - Institution Head/Parole Administrator

Inmate/Parolee - Attach to CDC form 602

Employee - Institution Head/Parole Administrator

COPY - Complainant

EXHIBIT C



U.S. Department of Justice

Federal Bureau of Investigation

Los Angeles Field Office

Ventura Resident Agency

In Reply, please refer to
File No.

2075 South Victoria Avenue, Suite 200
Ventura, California 93003

July 10, 2007

John Wesley Williams - #F34099
California State Prison Lancaster
P.O. Box 4670
Lancaster, CA 93539

Dear Mr. Williams:

This letter acknowledges receipt of your hand-written civil rights complaint and accompanying declaration of Timmy McHaul. As you know, it is the responsibility of the FBI and United States Department of Justice to conduct investigations of alleged civil rights violations perpetrated by law enforcement officers, to include correctional officers.

Your allegations/complaint will be reviewed and, if deemed appropriate and necessary, you may be contacted for further information.

If you wish to forward any additional documents in support of your allegations, please send them to:

FBI
P.O. Box 3819
Ventura, CA 93006

Sincerely,

J. Stephen Tidwell
Assistant Director in Charge

A handwritten signature in black ink, reading "Connie E. Smith", is written over the typed name.

By:
Connie E. Smith
Supervisory Senior Resident Agent

EXHIBIT D

DIVISION OF ADULT INSTITUTIONS
CALIFORNIA STATE PRISON-LOS ANGELES COUNTY
44750 60TH Street West
Lancaster, CA 93536



July 6, 2007

Flora Lee
1762 Exposition Blvd
Los Angeles, CA. 90018

Dear Ms. Lee:

This is in response to your letter dated June 28, 2007, regarding Inmate John Williams, V-34099. In your letter you allege misconduct by staff assigned CSP-Los Angeles County and that your claims are not being properly investigated.

The California Department of Corrections and Rehabilitation provides recourse for inmates when they feel that they are being treated unfairly or unjustly, which is the Inmate Appeal process. You may not file an appeal for Inmate Williams he must pursue his own issues.

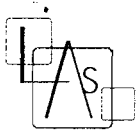
Ms. Lee, after careful review of your letter it has been determined that your son's appeals have been appropriately screened and categorized by the Inmate Appeals Coordinator. A review of the Inmate Appeals Tracking System has revealed that he has filed approximately twelve (12) appeals in 2007, which have been assigned log numbers. These appeals have either been responded to or are in the process. Inmate Williams is encouraged to address the Inmate Appeals Office directly. The Department does not condone any retaliatory actions toward an inmate for utilizing the appeals system.

If you have any other concerns or questions, please have Inmate Williams contact the Inmate Appeals Coordinator in writing via institutional mail.

Sincerely,


J. CURIEL
Appeals Coordinator
CSP-Los Angeles County

EXHIBIT E



The Legal Aid Society
EMPLOYMENT LAW CENTER

August 2, 2007

**LEGAL MAIL
ATTORNEY-CLIENT PRIVILEGE**

*Advocating for workers,
their families and communities*

Joan Messing Graff
President

William C. McNeill III
Managing Attorney

Patricia A. Shiu
Vice President, Programs

Senior Staff Attorneys
Claudia Center
Michael T. Gaidley
Christopher Ho

Lewis Bossing
Staff Attorney

Matthew Goldberg
Staff Attorney

Shelley A. Gregory
Staff Attorney

Professor Joseph R. Grodin
Special Counsel

Denise M. Hulett
Staff Attorney

Elizabeth Kristen
Staff Attorney

Kim Kruckel
Paid Leave Outreach Coordinator

Anya Lakner
Project Attorney

Willie N. Nguyen
Staff Attorney

Ruth Silver Taube
Special Counsel

Sharon Terman
Mediator, Fellow

Ann Blankenship
Paralegal

Laurel Kapros
Litigation Assistant

Pamela Mitchell
Litigation Assistant

Mari Broughton
Paralegal

John Wesley Williams
CDCR No. V-34099
California State Prison, Los Angeles County
P.O. Box 4670
Lancaster, California 93539

RE: *Hecker v. California Department of Corrections and Rehabilitation*, et al.,
Case No. 2:05-cv-02441-LKK-JJM

Dear Mr. Williams:

I am writing in response to your letters dated July 17, July 19, July 24, and July 26, 2007. We have made copies of the original appeal documents you included with your July 26 letter and are returning the original documents to you.

In your July 24 letter you asked us to continue investigating retaliation that you have suffered at Lancaster. As I stated in my last letter, we are concerned that you may be transferred from the EOP to the CCCMS level of care in retaliation for your work on the *Hecker* case, as well as your other advocacy work. We have requested your most recent mental health care records and any other records relating to the July 3 IDTT committee meeting. When we receive these records, we will review them to try to determine the basis for the committee's decision to reassign you to CCCMS, and then decide how to proceed with any investigation into the retaliation you have experienced. I will write more about this as soon as I know more.

In the meantime, it would be helpful for us if you listed all of the instances of retaliation that you believe are related to your work on the *Hecker* case. We have reviewed your correspondence with us and with Rosen, Bien & Galvan, and here is the list we have so far:

- In your June 7, 2007 letter, you said that prison officials were taking your 602s out of your mail, and also tearing up your personal correspondence. You said that "you [lawyers] let us all suffer trying to

Letter to John Wesley Williams

August 2, 2007

Page 2

exhaust appeals related to *Hecker* and *Coleman* and when we report mistreatment to the *Coleman* monitors we suffer more.”

- In your May 22, 2007 letter, you told us that the C/O who vowed to lose your legal property knew about your “being apart [*sic*] of the *Hecker* case.”
- In your April 27, 2007 letter, you mentioned the same officer's “inappropriate comments [about] being part of the *Hecker* case.”

Are there any other instances that you can think of when you felt that you were being retaliated against because of your participation in the *Hecker* case? If you could let me know about any other instances of such retaliation, I would appreciate it.

Also, in your July 24 letter you mention that you received Ken Walczak's letter about your *Hecker* declaration. Today I received word that you have signed and returned the declaration to Rosen, Bien & Galvan. Thank you for doing this. We think that it is important to let Judge Karlton and Judge Moulds, who are the judges for the *Hecker* case, know about the retaliation that you have suffered because of your work on the case. I should also tell you that Ken and the other attorneys at Rosen, Bien & Galvan have taken the lead in investigating the retaliation you have suffered at Lancaster. They are very interested in protecting you from any reprisals for your legal advocacy, including your work on *Hecker*.

Your July 24 letter also asks whether I have received the civil rights complaint you filed with the United States Department of Justice, and the 1824 appeal that was screened out by the appeals coordinators at Lancaster. These documents were enclosed with your July 19 and July 26 letters, and I have received them. I am a little confused about what happened with the 1824 appeal about access to work in the law library. In your letter to the appeals coordinators you complain that this appeal has been improperly screened out. If this is the case, I agree with you; I believe that you should be permitted to exhaust this appeal to the Director's Level. I can only suggest that you may wish to file a 602 appeal about the improper handling of your 1824 appeal. If you do, be sure to explain why the prison's refusing to let you work in the law library is harming you.

You also mention, however, that Sergeant Esquivias forced you to withdraw this appeal. Is this true? How did Sergeant Esquivias do this? Or did he only try to force you to withdraw, but you didn't do it? Please let us know more about this; additionally, if Sergeant Esquivias interfered with your use of the appeals process, you may wish to consider filing a 602 or Citizen's Complaint to complain about what happened.

Finally, in your July 17 letter you asked me to forward the enclosed letter to Dr. Kottraba and to Jane Kahn. I have done so. In a separate mailing I also received a letter from you to Senior Psychologist McGuinness. You did not include any instruction about this letter, so I did not know if you wanted me to forward it to Dr. McGuinness, or if the copy you sent me was for my files. If you want me to forward the letter to Dr. McGuinness I will do so, but I

Letter to John Wesley Williams


August 2, 2007

Page 3

wonder whether it is a good idea to send her a letter that contains several angry words and sentences, especially at this time when you are facing reassignment to the CCCMS level of care. I usually advise my clients that it is not in their best interest to send letters to decision makers that are too angry. Please let me know what you want me to do about this.

Again, thank you for your work on the *Hecker* case. Please keep me posted as to your mental health care and any mental health discrimination or retaliation that you may be experiencing. Please also keep me posted about the status of your federal court complaint against the Los Angeles County Sheriff's Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lewis Bossing", with a stylized flourish at the end.

Lewis Bossing

Enclosures

1 I, JOHN WESLEY WILLIAMS, declare that:

2 1. I have personal knowledge of the facts contained within this declaration and
3 verify that the matters alleged herein are true and correct, except as to those matters alleged on
4 information and belief, and, as to those, I believe them to be true. If called as a witness in this
5 case, I could and would testify competently to those facts.

6 2. I am an inmate incarcerated at the California State Prison – Los Angeles County
7 (“LAC”) in Lancaster, California, under inmate number V-34099. I was received into the
8 California Department of Corrections and Rehabilitation (“CDCR”) on or about April 30, 2004
9 at North Kern State Prison’s Reception Center for level IV placement. I was transferred to
10 California State Prison – Sacramento (“SAC”) on or about December 7, 2004. I was
11 transferred from SAC to LAC on or about March 23, 2007. During past terms of incarceration
12 I have been assigned to other CDCR facilities, including the California Men’s Colony
13 (“CMC”). During my present incarceration, I have been told that I might be transferred to
14 other CDCR facilities, including Pelican Bay State Prison.

15 3. On December 16, 2004, I was assigned to the Correctional Clinical Case
16 Management System (“CCCMS”) at SAC. I was admitted to the Enhanced Outpatient Program
17 (“EOP”) on or about June 6, 2005. I was returned to CCCMS on or about November 17, 2005.
18 I was admitted to a Mental Health Crisis Bed on or about August 21, 2006. On or about
19 September 6, 2006, I was reassigned to the EOP.

20 **Psychiatric Disability**

21 4. I have a psychiatric disability that limits my ability to think, read, write,
22 concentrate, sleep, eat, interact with others, and work certain jobs. My medical file documents
23 the history of my disability. For instance, I have been diagnosed with mental health conditions
24 including paranoid schizophrenia, schizoaffective disorder, dysphoria, antisocial personality
25 disorder, hallucinations, and delusions. These and other symptoms associated with my
26 disability prevented me from getting beyond the sixth grade.

27 5. I use psychiatric medicine and other kinds of mental health therapy, such as
28 counseling, to lessen the effects of my impairments. Unfortunately, the treatments to date have

1 not effectively addressed all of my symptoms. Medication helps me to stay relaxed and ease
2 my way of thinking but my day-to-day life is still very much affected.

3 6. I am informed and believe, and thereupon allege, that the CDCR regards or
4 perceives me as a person with a disability. This perception is documented in my medical and
5 central files, which describe me as having numerous severe psychiatric disabilities.

6 **Discrimination on the Basis of My Disability**

7 7. The CDCR has deemed me to be ineligible for numerous programs based on my
8 psychiatric status, including community correctional re-entry centers (CCRCs), community
9 correctional facilities (CCFs), modified community correctional facilities (MCCFs), fire camp,
10 minimum support facilities (MSFs), and substance abuse programs (SAPs). To my knowledge,
11 I have never been individually assessed for these programs.

12 8. Because of my participation in the EOP, I have been excluded from many
13 opportunities offered to general population inmates. LAC does not permit me to participate in
14 most jobs, educational classes, recreational programs, and religious services. CDCR is
15 discriminating against me because of my psychiatric disability by denying me access to these
16 programs.

17 9. I am perfectly capable of participating in the activities I have applied for. I know
18 that my mental health impairment would not affect my performance, because I have succeeded
19 in similar programs in the past. For instance, during a previous sentence I worked for two years
20 as the lead pot cook in the kitchen at CMC. While at CMC, I also worked in the bakery, on a
21 yard crew, and as a tier tender through the Prison Industry Authority ("PIA"). Prior to entering
22 MHSDS, I was also employed at SAC as a butcher.

23 10. I have been informed of additional CDCR policies that exclude inmates at the
24 CCCMS and EOP levels of care from various programs, including employment, educational
25 and vocational programs, religious programming, and other activities. I believe that these
26 additional CDCR policies reflect a perception that inmates such as me are substantially limited
27 in numerous major life activities, including interacting with others, learning, and working.
28

11. I have been informed that at reception the CDCR adds 4 points to an inmate's classification score based upon their status as having a "mental illness." I believe that 4 points were added to my classification score when I entered the CDCR system in 2004. I believe that this policy reflects a perception that inmates such as me are substantially limited in major life activities, including interacting with others.

Retaliation for Exercise of My Rights

12. Shortly after my arrival at LAC in March of 2007, I was harassed by a housing officer as a result of my participation in this case. The officer stated that she knew I was involved with the *Hecker* case, and told me that she would make sure that my personal property, including my legal materials would get "lost in R & R [Receiving & Release]."

13. On three (3) occasions following this incident, I succeeded in getting the EOP Sergeant to instruct housing officers to assist me in obtaining my legal property, only to have their efforts sabotaged by the housing officer who threatened to "lose" my legal materials.

14. Neither my attempts to file inmate appeals, nor my conversations with counselors, case managers, or psychologists have succeeded in remedying this situation. The housing officer has made good on her promise to keep me from accessing my own property, in retaliation for my participation in this case.

15. On April 23, 2007, I filed a complaint with the United States Department of Justice against LAC Senior Psychologist E. McGuinness. McGuinness has advised me to ignore beatings and assaults on EOP prisoners by correctional officers. After I refused to do this, and told her I would speak out against the assaults, she sought to remove me from the EOP program. This would compromise my treatment and my mental health.

16. In addition to the incidents described above, LAC officers have told me that I could not have my legal property because I "like to file lawsuits." They have removed my 602 grievance forms from the mail, ensuring that the grievances do not get filed or answered. They have torn, damaged, or confiscated my letters to family, including my mother, and the citizen's complaints other EOP prisoners have sent to their families. These incidents have increased in frequency and severity each time LAC has been visited by *Coleman* monitors.

1 17. LAC officers have also told me that they intend to throw away all of my papers
2 concerning this case. As a result, I believe that some of the above-mentioned retaliatory
3 actions are directly related to my status as a *Hecker* plaintiff.

4 18. I have filed staff misconduct reports, and aided other prisoners with their
5 grievances about these assaults, and the code of silence among correctional officers which
6 accompanies them. I believe that the rest of the above-mentioned retaliatory actions occurred
7 as a result of my exercise of the right to speak out against misconduct, and to file grievances
8 and complaints on these issues.

9 19. This declaration addresses only some of the barriers and problems that I have
10 experienced as an inmate at LAC.

11 I declare under penalty of perjury under the laws of the State of California and the
12 United States that the foregoing is true and correct, as was executed on this 7th day of
13 July 2007, at Lancaster, California.

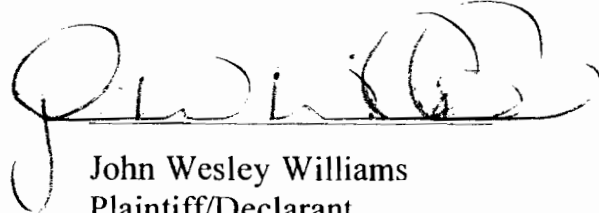
14
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17 John Wesley Williams
18 Plaintiff/Declarant
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EXHIBIT F

State of California

CDC FORM 695

Screening For:

CDC 602 Inmate/Parolee Appeals

CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the SECOND Level

September 10, 2007

WILLIAMS, V34099

FDB100000000149L

Log Number: LAC-D-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

MR. CURIEL

The enclosed documents are being returned to you for the following reasons:

THIS SCREENING FORM IS IN ERROR BECAUSE YOU SCREENED OUT THIS APPEAL WITHOUT PROVIDING A REASON, EXPLANATION, OR A CASE OF REGULATION WHICH I HAVE NOT COMPLIED WITH, AND THIS SCREENING FORM IS AN EXAMPLE OF THE ISSUES RAISED IN THE INSTANT APPEAL,

AS YOU DO NOT SCREEN OUT APPEALS FOR REASONS SET FORTH BY C.C.R. TITLE 15 SECTION 3084.3 (2) THROUGH (4), YOU SCREEN OUT APPEALS BECAUSE YOU CAN, AND IN AN EFFORT TO CONCEAL MISCONDUCT AND MALFEASANCE OCCURRING WITHIN THE PRISON, AND THE FAILURE TO SCREEN APPEALS IS COMPLIANT WITH THE DIRECTIVES WHICH IS A VIOLATION OF YOUR DUTIES, WHICH IS MISCONDUCT, AND THE FACT THAT YOU MAINTAIN A PRACTICE OF FILTERING OUT ALL APPEALS ALLEGING MISCONDUCT IS CRIMINAL MALFEASANCE, IF

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

YOU INSIST UPON FRUSTRATING MY APPEAL EFFORTS I WILL ASK MY FAMILY AND FRIENDS TO CITIZEN'S COMPLAINT YOU FOR CONDUCT

PERMANENT APPEAL ATTACHMENT - DO NOT REMOVE

WHICH FOSTERS THE CODE OF SILENCE. (SIGNED) 9/11/07.

SEP 11 2007

State of California

CDC FORM 695

Screening For:

CDC 602 Inmate/Parolee Appeals

CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the SECOND Level

September 20, 2007

WILLIAMS, V34099

FDB100000000149L

Log Number: LAC-D-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

You have submitted an appeal that duplicates a previous appeal upon which a decision has been rendered or is pending (CCR 3084.3(c)(2)).

THIS APPEAL WAS FORWARDING TO THE HIRING AUTHORITY AND IT WAS DETERMINED THAT THIS APPEAL DOES NOT MEET THE REQUIREMENT FOR ASSIGNMENT AS A STAFF COMPLAINT.

THIS SCREENING FORM IS IN ERROR BECAUSE DESPITE WHAT "CHIEF DEPUTY WARDEN FALLON" DECIDES YOU CANNOT LAWFULLY VIOLATE CCP SECTION 54100.8 BY PLACING UNREASONABLE RESTRAINTS ON MY RIGHT TO APPEAL A CUSTOMARY HABIT AND PRACTICE THAT CLEARLY HAS AN ADVERSE EFFECT ON MY WELFARE. THE APPEALS COORDINATORS ARE BEING INSTRUCTED TO SCREEN OUT MY BDC APPEALS FOR REASONS CONTRARY TO STATE LAW, AND THE SAME OFFICIAL WARDEN IS BEHIND THESE UNLAWFUL ORDERS AND OPERATIONS ARE PREVENTING ME FROM PROCESSING THE INSTANT APPEAL IN AN EFFORT TO CONCEAL HIS OWN UNLAWFULNESS.

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

IF YOU DO NOT WISH TO PROCESS MY APPEAL THEN I WILL ASK A CITIZEN TO FILE A CITIZEN'S COMPLAINT REGARDING THIS ISSUE. EITHER

PERMANENT APPEAL ATTACHMENT- DO NOT REMOVE

WHAT CHIEF DEPUTY WARDEN FALLON WILL BE PROHIBITED FROM HIS UNLAWFUL BEHAVIOR AS PER CCR 3084.3(c)(2) AND (3)

John W. Williams#V-34099
CSP-Los Angeles, D1-149

To: CC.II. J.Curiel/Appeals Coordinator
CSP-Los Angeles-Appeals Office

September 30, 2007

Dear Mr.Curiel,

I am disturbed by your ongoing pattern of placing unreasonable restraints on my right to appeal. In addition, you continue to ignore my request related to the status of my various inmate appeals, yet you would advise my mother that "I" should contact the appeals office if I have any questions about my appeals.

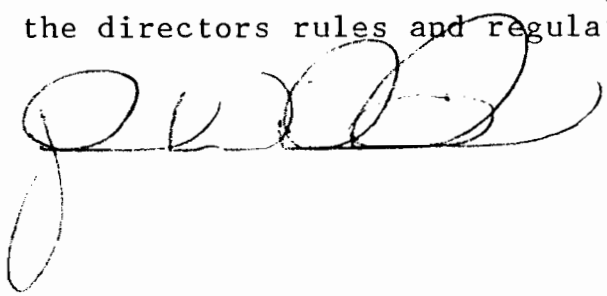
On one of the occasions in which I spoke with you, you told me that the state would pay for any judgment in the event you get sued for your unlawful customs, habits, and practices when handling and processing inmate appeals, and because you honestly believe this ridiculousness, you are even more bold with your protecting staff and friends by filtering out inmate appeals for reasons contrary to state law.

In recognizing your criminal thinking, I did some research and found that in addition to money damages, I can ask the Judge to order the same state who you think will pay for your corrupt and dishonest practices to deprive and deny you of your retirement and pension funds as described in the DOM.

These bogus and unfounded allegations you continue to make against me, claiming that I am manipulating the appeal system are not only erroneous, but are also your way of revilling your own malfeasance.

I was wrong to ever think that you and I came to a respectable agreement and understanding because as long as you are left alone under state law, you will continue to be dishonest and corrupt, and there is no way that the corrupt can correct the corrupt.

Untill I have the pleasure of bring you to justice before a federal court, I urge you to continue your dishonest corrupt habits and practices. My family letters and citizen's complaints are going to make for good discovery, especially when Mr.James Tilton and Warden Haws will have to explain why you were allowed to defy the directors rules and regulations.



OCT 11 2007

John W. Williams#V-34099
CSP-Los Angeles
PO Box 4670
Lancaster, Calif 93539
September 18, 2007
Re: Institutional Appeal

To: Secretary James Tilton	Chief N. Grannis
California Department of	Chief Inmate Appeals
Corrections & Rehabilitation:	Director of Corrections
1515 S. Street	P.O. Box 942883
P.O. Box 942883	Sacramento, Calif 94283
Sacramento, Calif 94283	

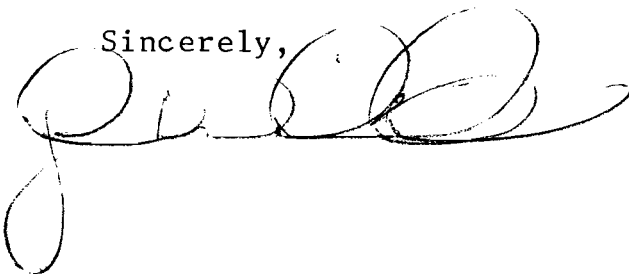
Dear Secretary Tilton,

The attached inmate 602 appeal has been unlawfully screened out and cancelled by your inmate appeals coordinators for reasons contrary to state law.

I have complied with CCR sections 3084.1 thru 3085, yet I have been deprived of the right to access the administrative inmate 602 appeal processing system by your subordinates who use the color of law to filter out 602 appeals alleging unlawful misconduct by prison officials, and this frustrating of my right to appeal is not only a reprisal, but also conduct which fosters the code of silence.

Could you please have the Chief Inmate Appeals review the attached 602 appeal, and order prison officials to process my appeal issues, and to make such administrative remedies available to me?

Sincerely,



INMATE APPEALS BRANCH

1515 S Street, Sacramento, CA 95814
P.O. Box 942883
Sacramento, CA 94283-0001



November 9, 2007

WILLIAMS, JOHNWESLEY, V34099
California State Prison, Los Angeles County
44750 - 60th Street West
Lancaster, CA 93536-7620

RE: IAB# 0710307 STAFF COMPLAINTS

Mr. WILLIAMS:

The Inmate Appeals Branch, California Department of Corrections and Rehabilitation (CDCR) acts for the Director, Division of Adult Institutions, at the third level of appeal. The Branch examines and responds to inmate and parolee appeals that are submitted on a CDC Form 602, Inmate/Parolee Appeal Form, after the institution or parole region has responded at the Second Level of Appeal.

Institution and parole staff are available to assist you in obtaining additional copies of forms and documents required to submit an appeal. The inmate library offers resources and assistance to obtain general information regarding regulations, procedures, policies, and government agency addresses. Additionally, your assigned Counselor or Parole Agent, or the Appeals Coordinator can answer any questions you may have regarding the appeals process. The Inmate Appeals Branch appreciates your responsible use of the appeal system to address your grievance.

The Inmate Appeals Branch has received an appeal from you and has determined that it does not comply with the appeal procedures established in California Code of Regulations (CCR) Title 15, Article 8, and is being screened-out and returned to you pursuant to CCR 3084.3 for the following reason(s):

Your appeal was rejected, withdrawn or cancelled. If you disagree with that decision, contact the Appeals Coordinator. You must comply with instructions from that office.

A handwritten signature in black ink, appearing to read "N. Grannis".

N. GRANNIS, Chief
Inmate Appeals Branch

INMATE/PAROLEE APPEAL FORM

CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. _____

1. _____

2. _____

2. _____

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME John Williams	NUMBER V-34099	ASSIGNMENT	UNIT/ROOM NUMBER D1-149
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A. Describe Problem: This appeal is filed pursuant to DOM section 54100.25.1, and Administrative Bulletin 05/03 against Chief Deputy Warden D.Fallon, appeal coordinators CCII S.Aref and J.Curiel for using the prestige or influence of the state and the Department of Corrections for private gain or advantage, which also includes participating in illegal and unlawful activity in violation of CCR Title 15 section 3413(a)(1) & (2). Specifically, each time I have attempted to access the 602 appeal system at CSP-Los Angeles, S.Aref and J.Curiel intentionally thwarts and frustrates my appeal effort by either

If you need more space, attach one additional sheet.

see attachment

B. Action Requested: THAT WARDEN FALLON ESTABLISH A CREDIBLE EMPLOYEE DISCIPLINARY PROCESS WHICH WOULD PROHIBIT CHIEF DEPUTY WARDEN FALLON FROM PRACTICING DISORGANIZED CRIMINAL MALFEASANCE, AND PROHIBIT CCII, AREF AND CURIEL FROM MISHANDLING MY APPEALS, THAT CCII

Inmate/Parolee Signature: *[Signature]*

Date Submitted: 8.15.07

C. INFORMAL LEVEL (Date Received: _____)

Staff Response: _____

Staff Signature: _____

Date Returned to Inmate: _____

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: _____

Date Submitted: _____

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number: _____

SEP 19 2007

1108-045

AUG 21 2007
SEP 14 2007

screening out my appeals for false and bogus reasons, or canceling out my appeals for reasons contrary to state law. CCR Title 15 section 3084.1 thru 3085 governs the administrative appeal process and procedures in all California State prisons, yet Aref and Curiel have re-written these rules and regulations and are handling inmate appeal according to guidelines and procedures consistent with the February 17, 2004, Memorandum regarding the code of silence, as Aref and Curiel are acting on behalf of CD. Warden Fallon by manipulation of the inmate appeal processing system in order to prevent myself, and other inmates, from filing and exhausting 602 appeals against suspected Green Wall prison guard gang members.

AUG 21 2007

On August 7, 2007, I spoke with CCII. Curiel about the unlawful and defective inmate appeal system at this prison, and while Curiel's spoken words were in compliance with the rules and regulations which governs inmate appeals, Curiel's actions once back in the appeals office were completely contrary, as Curiel continued to use the color of law to filter out my inmate appeals against prison officials who are known to commit MISFEASANCE, MALFEASANCE, UNLAWFUL, AND UNCONSTITUTIONAL ACTIVITY WHILE UNDER COLOR OF LAW, AND CD. WARDEN FALLON INSTRUCTS THESE APPEALS COORDINATORS ON HOW TO FOSTER THE CODE OF SILENCE BY FILTERING OUT MY APPEALS. I HAVE WRITTEN TO WARDEN HALLS CONCERNING VARIOUS ACTS OF MALFEASANCE IMPOSED BY HIS SUBORDINATES AND CD. WARDEN ALWAYS RESPONDS ON BEHALF OF WARDEN HALLS AND ENCOURAGES ME TO ADDRESS THE ISSUE BY USE OF THE INMATE APPEAL SYSTEM AND WHEN I DO SO, AREF AND CURIEL FORWARDS MY APPEAL TO CD. FALLON, AND FALLON IN RETURN, COMPLETELY CONTRADICTS HIS WRITTEN LETTERS TO ME BY INSTRUCTING AREF AND CURIEL TO SCREEN OUT MY 602 APPEALS FOR REASONS CONTRARY TO STATE LAW, AND THIS IS A SYSTEMATIC PRACTICE BEING ENFORCED AND MAINTAINED FROM THE WARDEN'S OFFICE WHERE CD. FALLON RUNS HIS CRIMINAL OPERATIONS WHICH INCLUDES GANG ACTIVITY BECAUSE CD. WARDEN FALLON IS INSTRUCTING HIS SUBORDINATES TO FOSTER THE CODE OF SILENCE BY FILTERING AND SCREENING OUT MY 602 APPEALS FOR THE SOLE PURPOSE OF THE GREEN WALL PRISON GUARD GANG.

ACTION REQUESTED CONTINUED:

AREF AND CURIEL BE REMOVED FROM THE APPEALS OFFICE AND I BE ALLOWED TO EXHAUST THIS APPEAL OF ALL STATE REMEDIES.

SEP 14 2007

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

CDC 1858 (2/97)

AUG 21 2007

RIGHTS AND RESPONSIBILITY STATEMENT

The California Department of Corrections has added departmental language (shown inside brackets, in non-boldface type) for clarification purposes.

Pursuant to Penal Code 148.6, anyone wishing to file an allegation of misconduct by a departmental peace officer must read, sign and submit the following statement:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER [this includes a departmental peace officer] **FOR ANY IMPROPER POLICE** [or peace] **OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS'** [or inmates'/parolees'] **COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN** [or inmate/parolee] **COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE. [An inmate/parolee who makes a complaint against a departmental peace officer, knowing it is false, may be issued a serious disciplinary rule violation, in addition to being prosecuted on a misdemeanor charge.]

COMPLAINANT'S PRINTED NAME John Williams	COMPLAINANT'S SIGNATURE	DATE SIGNED August 15, 2007	
INMATE/PAROLEE PRINTED NAME John Williams	INMATE/PAROLEE'S SIGNATURE	CDC NUMBER V-34099	DATE SIGNED 8.15.07
RECEIVING STAFF'S PRINTED NAME	RECEIVING STAFF'S SIGNATURE	DATE SIGNED	

DISTRIBUTION:

ORIGINAL -

Public - Institution Head/Parole Administrator

Inmate/Parolee - Attach to CDC form 602

Employee - Institution Head/Parole Administrator

COPY - Complainant

SEP 14 2007

EXHIBIT G

S. Morrisette
1313 Pina Ave
Palmdale, Ca 22520
(602_ 555-5534

To: Name of Corporation and Member being Contacted
Address and Phone Number

Re: Possible Food Poisoning at your(city restaurant) Chain:

September 19,2007

Dear

My name is S.Morrisette and on (date) I was a customer in your Palmdale establishment where I ordered the (name of food which got you sick) which (number) hours later caused me to suffer diarrhea, nausea, vomiting, headache, and dizziness.

In addition to being immediately treated at (name) hospital by Dr.(name) and diagnosed with food poisoning, I also suffered a three day loss of work which was needed in order to recover from this horrendous ordeal.

It is important you understand that I do not wish to litigate in attempts to obtain relief beyond what I am rightfully and morally entitled. I am only requesting that you take full responsibility for my pain and suffering by making me "whole" as prescribed by law. Meaning, I ask that you compensate my sales purchase, medical expenses, and lost wages.

I also have a concern for others who have, or may suffer as I have, so I will also ask that you ensure the safety of your current and future customers by doing whatever is necessary to address and correct the service which resulted in my injury.

I will be happy to provide you with any documentation relevant to the issues raised by this notice in the event that such production would facilitate in resolving this issue.

Please feel free to contact me at the above address and phone number within a reasonable time, and between the hours of (time line).

Sincerely,

Folsom beatings revealed

Sergeant fired, 12 guards disciplined

By Robert D. French
Folsom, Calif.

Folsom Prison sergeant has been fired and 12 other correctional officers were severely disciplined in connection with the beatings of four inmates last August, a lawsuit filed in federal court says.

A lawsuit filed by the American Civil Liberties Union (ACLU) on Monday says the lawsuit was filed in the federal court in San Francisco, Calif. The lawsuit says the prison guards used force to punish inmates for minor infractions.

The lawsuit says the guards used force to punish inmates for minor infractions. The lawsuit says the guards used force to punish inmates for minor infractions. The lawsuit says the guards used force to punish inmates for minor infractions.

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Folsom

Continued from page A1

The lawsuit, filed in federal court in San Francisco, says the guards used force to punish inmates for minor infractions. The lawsuit says the guards used force to punish inmates for minor infractions. The lawsuit says the guards used force to punish inmates for minor infractions.

According to the lawsuit, Anthony Tarrington, a kidnapper and robber from Los Angeles, began to verbally abuse an officer named Daniel Almey. Almey ordered him to be quiet and began to escort him out of the kitchen when Tarrington suddenly turned and began throwing punches. Three other inmates broke through a screen door and joined the assault. Several others cheered them on from a nearby area.

Other officers came to Almey's aid, but not before he was kicked several times and suffered facial cuts and chipped teeth.

While inmates were being treated for minor cuts, some became abusive again and Tarrington staged another assault.

Several hours later, according to statements from participants, Trille formed a "kill squad" made up of Officers Andrew Schwab, Patrick Karamian, Sam Rios and Steve Tyler.

These singles out for beatings were Edward Anderson, Dwayne Gray, Edward Fields and Dan Barry, all of Los Angeles. Barry had been part of the assault on Almey, but had

joined support from inside the kitchen. The other three had joined Tarrington in the attack on Almey.

In the consciousness of Lt. Andy Lopez, who allegedly made the "kill squad" for Trille, the four prisoners were beaten for several minutes each. The report indicates they were hit, kicked, heads were slammed against walls and they were picked up and thrown to the floor.

"I just jumped on 'em," Schwab told investigators. "Like I say, there was 20 people there or more even, I don't know. There was great of abuse was given everywhere and they're bring a guy in and everybody's just start jumping on him."

Both Trille and Lopez denied giving such a reaction or having any knowledge of beating. But the officers who administered the beating and others who watched said otherwise.

Trille then allegedly told the officers not to write any reports. If questioned, they were to say they were in the cafeteria making and washing for inmates at the time.

The report also indicated that neither Trille, an associate warden, and the prison administrator of the day all may have had knowledge of the beatings, but the evidence was conclusive.

The inmates were eventually treated for their injuries and returned to custody.

Lady Cool,

I always enjoy your company because you are down to earth and compassionate, but mostly I am drawn to your intellect, and I feel as if I could talk with you for a lifetime and still remain inquisitive. The only complaint I have is the limitations of our visit.

I neglected to advise that you need write and send the letter I authored ASAP while ensuring that you keep a clear record of mailing and receiving by the company. While this is in the process, I urge you to go to the Superior Court and obtain a "Small Claims" packet. I have requested such packet so that I can complete it for your instructions on how to properly fill out and file.

I have dealt with different people from all walks of life, and based on such experience I know you to be trustworthy and honest. Currently I am serving a life sentence however, my case is still pending appeal, but for now the reality is that I'm a lifer. I have made and spent more money while in prison than I've done while free, and my dream/goal is to become a tycoon because through wealth I've been able to rehabilitate myself by helping others.

I'd like you to consider taking a class and/or course on how to buy foreclosure property and real estate because you have natural entrepreneurial skills should you focus and invest time into such. I've analyzed your character, and payed attention to all you have said, and I'm confident that you wouldn't shit on me, and I hope you know that I wouldn't you.

You remind me of someone who would risk approaching a cage holding a wild beast, relying solely on your belief that the beast will not harm you because your intention is not to harm

It. You may ask yourself "why" over and over, and in response I say that I did not seek you out with the intent in reviling anything which I have already. I am a BIG believer in chemistry, and you have to admit that this is something which we have if nothing else. Others can see it, which is why I often avoid calling you collect or speaking with you outside of professional communications while in the presence of others.

I've heard talk and gossip from your family members that you have an alternative lifestyle, and even if this is true then it must be beneficial because it has only enhanced the beauty inside you, and while you are plump you are not ugly. Personally I find that your attire is a disguise, one which I look beyond.

If I am out of line for anything I've said then please forgive me and trust that I will not send you mail anymore to this address. All I ask is that you continue to allow me to be heard outside of family, friends, colleagues, and those who are here to ruin and compromise.

I would NEVER ask or expect you to break the law, and with your skeptical nature when it comes to ME, I need clarify this off the top. By mailing you this alone I am taking a risk more bigger than I could ever ask of you, and I only hope that you don't shit on me.

Ponder on this letter and find a way to express responses to such without exposing my concerns. I really think that you and I could make a super team, and with your approval I'd like to elaborate more on the issues raised by this notice. For now please be well, and don't shit on me Please.

P.S. The enclosed civil complaint matter has been decided by the Court, and the only question now is will my settlement demand be accepted or will the Court have to set a trial date. As you see, the attorney for the defendants' are open to settle, and this will be discussed during the November 3, 2007, conference call. Please keep this information confidential and do not involve your family.

I'd like to arrange some investments if you are concerned enough to assist. Please consider.

EXHIBIT H

State of California

Department of Corrections and Rehabilitation

Memorandum

Date: October 23, 2007


To: CCI CRUZ

Subject: COURT TELEPHONE CALL

Please arrange to have inmate John Wesley Williams, V-34099, D1-149L, available for a conference call from the court on Monday, November 5, 2007. The Honorable Judge will be initiating the call at 1530 hours to extension 6461.

Your cooperation is appreciated.

If you have any questions, feel free to call me at extension 5569.


Diana Chanec
Litigation Office

Capt Parker:
What happened in re Williams
LCSP Monette completed RVR for
overfamiliarity and stated she feels threatened
by his continued presence.
she goes in and out of both Bldgs H2
and Williams goes in + out of Program Office
for group therapies. please resolve.

Anthony,
Please let me know
if the ext is good.
Thx -
Diana

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DISTRIBUTION:
WHITE - CENTRAL FILE
BLUE - INMATE (2ND COPY)
GREEN - ASU

CANARY - WARDEN
PINK - HEALTH CARE MGR
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME

CDC NUMBER

REASON(S) FOR PLACEMENT (PART A)

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY
☐ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)		<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /	
DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME	SIGNATURE	TITLE
DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE
			STAFF'S TITLE
<input type="checkbox"/> INMATE REFUSED TO SIGN		INMATE SIGNATURE	CDC NUMBER

ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
IS THIS INMATE:			
LITERATE?	<input type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE <u>UNNECESSARY</u>	<input type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES		
<input type="checkbox"/> NOT ASSIGNED Any "NO" requires SA assignment		<input type="checkbox"/> NOT ASSIGNED Any "NO" may require IE assignment	

INMATE WAIVERS

- ☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☐ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
☐ NO WITNESSES REQUESTED BY INMATE

INMATE SIGNATURE

DATE

WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

DECISION: ☐ RELEASE TO UNIT/FACILITY ☐ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

EXHIBIT I

STATE OF CALIFORNIA
CDC 115-MH (12/03)

C.C.

CLEA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT: MENTAL HEALTH ASSESSMENT REQUEST

REVIEWING CUSTODY SUPERVISOR

A CDC 115, Rules Violation Report (RVR), has been written on the following inmate, who requires a mental health assessment.

Inmate Name: WILLIAMS CDC Number: V-34099

RVR Log Number: D07-10-0024 Date of Violation: 10/19/07 Housing: ED-B1-149L **A4**

Specific Act Charged: 3013 UNLAWFUL INFLUENCE

The inmate's current Mental Health Level of Care is: (check one)

☐ NOT IN MHSDDS PROGRAM* ☐ CCCMS* ☒ EOP ☐ MHCB ☐ DMH

*CCCMS AND NON-MHSDDS PROGRAM PARTICIPANTS WILL BE REFERRED FOR A MENTAL HEALTH ASSESSMENT FOR "BIZARRE, UNUSUAL OR UNCHARACTERISTIC" BEHAVIOR.

Sent to Mental Health: 10-29-07 By: C/O BOAK AmBoak
Date Print Name Signature

Return this form to: D yd BOAK *By: 11-6-07
Print Name Date

*(CCCMS and non-MHSDDS, 5 working days; EOP/MHCB/DMH, 15 calendar days)

MENTAL HEALTH CLINICIAN

Conducted **non-confidential** interview: 11/6/07 (Inmate informed of non-confidentiality).
Date

1. CCCMS/NON-MHSDDS only. Are there any mental health factors that would cause the inmate to experience difficulty in understanding the disciplinary process and representing his/her interests in the hearing that would indicate the need for the assignment of a Staff Assistant? ☒ Yes ☐ No

Explain "yes" response: EOP

2. In your opinion, did the inmate's mental disorder appear to contribute to the behavior that led to the RVR? ☐ Yes ☒ No Explain "yes" response: I/M stated he was always ill and

understand complaint. I/M stated "I wrote it for my attorney it
was not for staff"

3. If the inmate is found guilty of the offense, are there any mental health factors that the hearing officer should consider in assessing the penalty? ☒ Yes ☐ No Explain "yes" response: I/M

should continue to receive yard privileges
to maintain mental stability.

INSTITUTION: <u>CSP-LAC</u>	CLINICIAN NAME (Print) <u>Wadlington, PhD</u>	SIGNATURE <u>[Signature]</u>	DATE
RECEIVED BY :	CUSTODY STAFF NAME (Print)	SIGNATURE <u>[Signature]</u>	DATE

DISTRIBUTION:

Original : Central File With Adjudicated CDC 115
Blue : Unit Health Record
Pink : Inmate

CDC NUMBER, NAME (LAST, FIRST, MI) AND DATE OF BIRTH

**RULES VIOLATION REPORT:
MENTAL HEALTH ASSESSMENT REQUEST**

STATE OF CALIFORNIA

804 TO RECORDS:

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT

CDC NUMBER V-34099	INMATE'S NAME WILLIAMS	RELEASE/BOARD DATE	INST. CSP-IAC	HOUSING NO. FD-B1-149L	LOG NO. D07-10-0024
VIOLATED RULE NO(S). 3013	SPECIFIC ACTS UNLAWFUL INFLUENCE	LOCATION FD-EDUCATION	DATE 10/19/07	TIME 1700 Hours	

CIRCUMSTANCES

On Friday, October 19, 2007, at approximately 1700 hours while performing my duties as Licensed Clinical Social Worker (LCSW), assigned to the Enhanced Outpatient Program (EOP), I discovered a personal letter intended for me secreted in a packet of paperwork. The packet of paperwork containing the letter had been personally handed to me by Inmate WILLIAMS, V-34099, FD-B1-149L, approximately one week earlier. When WILLIAMS first gave me the packet of written material, he stated that it contained information related to court cases. In the actual letter, WILLIAMS stated that he expected a large financial settlement soon, and asked me if I could reinvest said money in real estate for him. Also in the letter, WILLIAMS wrote that with regard to my own recent incident of exposure to food poisoning, which caused me to miss several days of work, he had included with his letter, paperwork to assist me in filing a civil complaint against the restaurant. Due to the fact that he had given me the paperwork at the end of a group therapy class, I placed that paperwork along with other paperwork in my office bookcase. I did not review the material until Friday, October 19, 2007, at which time I found the subject letter secreted in the packet of written material WILLIAMS had handed me. I read for the first time that he had addressed the packet to "Lady Cool."

(Circumstances continued on CDC-115-C)

REPORTING EMPLOYEE (Typed Name and Signature) S. Morissette, Licensed Clinical Social Worker	DATE 10/19/07	ASSIGNMENT FD-EOP LCSW	RDO'S S/S
REVIEWING SUPERVISOR'S SIGNATURE H. Huerta, Correctional Sergeant	DATE	<input type="checkbox"/> INMATE SEGREGATED PENDING HEARING	
CLASSIFIED <input type="checkbox"/> ADMINISTRATIVE <input checked="" type="checkbox"/> SERIOUS	OFFENSE DIVISION: _____	DATE	CLASSIFIED BY (Typed Name and Signature) L. Parker, Facility-D Captain
HEARING REFERRED TO <input type="checkbox"/> HO <input type="checkbox"/> SHO <input type="checkbox"/> SC <input type="checkbox"/> FC			
COPIES GIVEN INMATE BEFORE HEARING			
<input checked="" type="checkbox"/> CDC 115	BY: (STAFF'S SIGNATURE)	DATE	TIME
<input type="checkbox"/> INCIDENT REPORT LOG NUMBER:	BY: (STAFF'S SIGNATURE)	DATE	TIME

HEARING

REFERRED TO ☐ CLASSIFICATION ☐ BPT/NAEA

ACTION BY: (TYPED NAME)	SIGNATURE	DATE	TIME
REVIEWED BY: (SIGNATURE)	DATE	CHIEF DISCIPLINARY OFFICER'S SIGNATURE	DATE
BY: (STAFF'S SIGNATURE)		DATE	TIME
<input type="checkbox"/> COPY OF CDC 115 GIVEN INMATE AFTER HEARING			

CDC 115 (7/88)

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT - PART C

PAGE 1 OF 1

CDC NUMBER V-34099	INMATE'S NAME WILLIAMS	LOG NUMBER D07-10-0034	INSTITUTION OSP-LAC	TODAY'S DATE 10/19/07
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

(Circumstances continued from CDC-115)

As I read the subject letter, I immediately determined that it had been written to me, as it contained several personal comments that applied only to me, and that it was from someone who claimed to be coming into a lot of money from a lawsuit. Other documents in the packet of paperwork contained WILLIAMS' name as a party to such a lawsuit. The nature of the subject letter was of a personal nature, describing me as being down to earth, compassionate, and that he was drawn to my intellect. The subject letter also asked me to take a course in buying foreclosure property. After reading the letter, I turned the entire packet of paperwork over to my supervisor, Doctor S. McGuinness, Ph.D, and informed her that I did not want WILLIAMS to be around me anymore as I felt threatened by his romantic and personal letter.

WILLIAMS is a participant in the Mental Health Services Delivery System at the Enhanced Outpatient Program level of care.

WILLIAMS is aware of this report.

S. McGuinness, CD.

SIGNATURE OF WRITER		DATE SIGNED	
GIVEN BY: (Staff's Signature)		DATE SIGNED	TIME SIGNED
<input type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE			

CDC NUMBER V-34099	INMATE'S NAME WILLIAMS	VIOLATED RULE NO(S). 2013	DATE 10/19/07	INSTITUTION CSP-LAC	LOG NO. LP7-10-0074
-----------------------	---------------------------	------------------------------	------------------	------------------------	------------------------

REFERRAL FOR FELONY PROSECUTION IS LIKELY IN THIS INCIDENT ☐ YES ☒ NO**POSTPONEMENT OF DISCIPLINARY HEARING**

<input type="checkbox"/> I DO NOT REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE ▶	DATE
--	-------------------------	------

<input type="checkbox"/> I REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE ▶	DATE
---	-------------------------	------

DATE NOTICE OF OUTCOME RECEIVED	DISPOSITION
---------------------------------	-------------

<input type="checkbox"/> I REVOKE my request for postponement.	INMATE'S SIGNATURE ▶	DATE
--	-------------------------	------

STAFF ASSISTANT

STAFF ASSISTANT <input type="checkbox"/> REQUESTED <input type="checkbox"/> WAIVED BY INMATE	INMATE'S SIGNATURE ▶	DATE
---	-------------------------	------

<input checked="" type="checkbox"/> ASSIGNED	DATE	NAME OF STAFF
--	------	---------------

<input type="checkbox"/> NOT ASSIGNED	REASON
---------------------------------------	--------

INVESTIGATIVE EMPLOYEE

INVESTIGATIVE EMPLOYEE <input checked="" type="checkbox"/> REQUESTED <input type="checkbox"/> WAIVED BY INMATE	INMATE'S SIGNATURE ▶	DATE
---	-------------------------	------

<input type="checkbox"/> ASSIGNED	DATE	NAME OF STAFF
-----------------------------------	------	---------------

<input type="checkbox"/> NOT ASSIGNED	REASON
---------------------------------------	--------

EVIDENCE/INFORMATION REQUESTED BY INMATE:

WITNESSES

WITNESSES REQUESTED AT HEARING (IF NOT PRESENT, EXPLAIN IN FINDINGS)				
<input type="checkbox"/> REPORTING EMPLOYEE	<input type="checkbox"/> STAFF ASSISTANT	<input type="checkbox"/> INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> OTHER _____	<input type="checkbox"/> NONE

WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)		GRANTED	NOT GRANTED	WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)		GRANTED	NOT GRANTED
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

INVESTIGATIVE REPORT: Investigative Employees must interview the inmate charged, the reporting employee, and any others who have significant information, documenting the testimony of each person interviewed. Review of files, procedures, and other documents may also be necessary.

INVESTIGATOR'S SIGNATURE ▶		DATE
<input type="checkbox"/> COPY OF CDC 115-A GIVEN INMATE	BY: (STAFF'S SIGNATURE) ▶	TIME
		DATE

EXHIBIT J

Declaration Of Ernest Napper Jr.

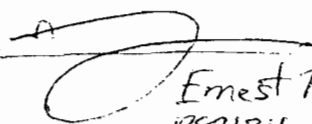
1 I, Ernest Napper Jr, do declare:

2
3 1.) I am an inmate incarcerated at the California Depart-
4 ment of Corrections and Rehabilitation at the California
5 State Prison - Los Angeles County, under registry # P82134
6 and if called as a witness to testify to the following facts
7 which are within my personal knowledge I could and would
8 competently testify thereto.

9
10 2.) On October 30, 2007 around 3:30 PM, while in Administra-
11 tive Segregation in cell AA-133, I witnessed Plaintiff
12 John Williams V-34099 speaking with Associate Warden
13 Woodford concerning his placement in segregation for unlaw-
14 ful influence, at which time Plaintiff complained to Wood-
15 ford of being exploited with segregation; in retaliation for
16 complaints to the Federal Bureau of Investigations related
17 to Excessive Force imposed upon Mental Health inmates on
18 D-Facility.

19 3.) That in response to Plaintiff's allegations, Associate
20 Warden Woodford smiled mischievously and stated "you're right,"
21 "you're absolutely right Mr. Williams, but we had to slow you
22 down some kind of way," at which time Woodford then
23 departed from Plaintiff's cell door.

24
25 I declare under the penalty of perjury, under the laws of
26 the State of California the foregoing is true and correct.
27 Executed on NOVEMBER 30, 2007 at Lancaster, Calif.

28
signature: 
Ernest Napper Jr.
P82134 Declarant

QUESTIONS FOR CAPTAIN PARKER

1. WHICH STAFF MEMBERS BROUGHT THIS INCIDENT TO YOUR ATTENTION ON 10.23.07?
2. WHY ARE YOU ALLOWING MARRISSETTE TO EXPLOIT STATE RESOURCES BY ALLEGING A SAFE CONCERN SIMPLY TO JUSTIFY HOLDING WILLIAMS IN SEGREGATION?
3. WHAT IS MARRISSETTE'S DISCIPLINE FOR DISCLOSING PERSONAL INFORMATION ABOUT HERSELF TO WILLIAMS?
4. IF MARRISSETTE SIGNED A CDE FORM #1 AND VIOLATED SUCH POLICY AND REGULATIONS REGARDING CONDUCT AND ASSOCIATION WITH INMATES HOW COULD YOU NOT CONSIDER MARRISSETTE A THREAT TO THE SAFETY AND SECURITY OF YOUR FACILITY?
5. ISN'T IT TRUE THAT BY REMOVING WILLIAMS FROM THE FACILITY ON THE LOGS SAFETY CONCERN YOU GET TO APPEAR AS IF YOU ADDRESSING THE CONCERN WHICH YOU IN THE CAPTAIN'S CHAIR ON "A" FACILITY IN THE FACE OF WARDEN HOWES AND OUTSIDE AGENCIES.

QUESTIONS FOR RETURNING EMPLOYEE MORRISSETTE

WHAT DOES WILLIAMS ADDRESS YOU AS?

1. HAS WILLIAMS EVER REFERRED TO YOU AS LADY COOL?

2. HAS WILLIAMS EVER SPOKE TO YOU IN A ROMANTIC LANGUAGE?

3. HAS WILLIAMS EVER CONFESSED A ROMANTIC INTEREST IN YOU?

4. ARE YOU AN ATTORNEY OR DO YOU WORK FOR AN ATTORNEY?

5. DOES THE PORTIONS OF WILLIAMS LETTER WHICH MAKES REFERENCE TO ATTORNEYS RELATE TO YOU PERSONALLY?

6. WHAT EVIDENCE DO YOU HAVE TO SUPPORT YOUR "FEELING" OF BEING THREATENED BY WILLIAMS?

PLEASE EXPLAIN WHAT MADE WILLIAMS LETTER PERSONAL?

PLEASE EXPLAIN WHAT MADE WILLIAMS LETTER ROMANTIC?

1. PLEASE DEFINE ROMANTIC AS USED IN YOUR EVE REPORT?

2. DID WILLIAMS LETTER REQUEST ANY PERSONAL INFORMATION FROM YOU?

3. IN DETERMINING THAT WILLIAMS LETTER WAS WRITTEN TO YOU, WHAT "SEVERAL PERSONAL COMMENTS" DO YOU CONSIDER APPLIED TO YOU?

4. DID THE ENTIRE LETTER ITSELF APPLY TO YOU, IF NOT PLEASE EXPLAIN.

1. HOW DID WILLIAMS BECOME AWARE OF THE INFORMATION WHICH YOU DESCRIBE AS "SEVERAL PERSONAL COMMENTS"?

2. WHY WAS WILLIAMS GIVING YOU A PACKET OF PAPERWORK IN THE FIRST PLACE?

3. IS THIS THE ONLY TIME WILLIAMS HAD EVER GIVEN YOU A PACKET OF PAPERWORK?

4. WHEN WAS THE FIRST TIME WILLIAMS GAVE YOU PACKETS OF PAPERWORK AND WHY?

5. DID YOU EVER REQUEST LEGAL ADVICE/ASSISTANCE FROM WILLIAMS?

9. HAS WILLIAMS EVER DEFIED YOUR AUTHORITY OR DISRUPTED ANY OF YOUR CLASSES?

10. YOU STATED THAT THE PERSONAL LETTER WAS "SECRETED" IN PILE OF PAPERWORK; HOW MUCH PAPERWORK WAS THIS PERSONAL LETTER SECRETED BEHIND OR WITHIN?

11. IS IT "POSSIBLE" THAT THIS PERSONAL LETTER COULD HAVE POSSIBLY BEEN IN THE PACKET OF PAPERS BY MISTAKE OR ERROR?

12. WHAT EVIDENCE OR PROOF DO YOU HAVE THAT THIS PERSONAL LETTER DID NOT MAKE ITS WAY IN THE PACKET OF PAPERWORK BY MISTAKE OR ERROR?

13. DO YOU CONTEND THAT FINDING SOMEONE "DOWN TO EARTH" IS A ROMANTIC GESTURE?

14. DO YOU CONTEND THAT FINDING SOMEONE COMPASSIONATE IS A ROMANTIC GESTURE?

15. DO YOU CONTEND THAT BEING DRAWN TO SOMEONE'S INTELLIGENCE IS A ROMANTIC GESTURE?

16. ISN'T IT TRUE THAT WILLIAMS GAVE YOU PACKETS OF PAPERWORK IN EARLY AUGUST 2007 AND NOT ON OCTOBER 2007?

17. WHY DID YOU DISCLOSE PERSONAL INFORMATION ABOUT YOURSELF TO WILLIAMS CONCERNING PERSONAL COMMENTS WHICH YOU ALLEGEDLY APPLY TO YOU?

18. HAVE YOU BEEN DISCIPLINED OR SUBJECTED TO ADVERSE PERSONNEL ACTION AS A DIRECT RESULT OF YOUR DISCLOSING PERSONAL INFORMATION ABOUT YOURSELF TO WILLIAMS?

19. AT ONE POINT PRIOR TO RECEIVING THE PERSONAL LETTER SECRETED IN THE PACKET OF PAPERWORK, DIDN'T YOU INFORM WILLIAMS THAT THE REAL ESTATE MARKET WAS NOT GOOD FOR INVESTMENTS?

20. ISN'T IT TRUE THAT TWICE IN LATE AUGUST AND EARLY SEPTEMBER WILLIAMS INFORMED OF GIVING YOU PAPERWORK IN ERROR WHICH YOU REFUSED TO RETURN?

21. ISN'T IT TRUE THAT YOU ONLY FILED THIS EVIDENCE AFTER DR. L. ...

12. WHY did you wait so long before realizing the value of paperwork given to you by Williams?

13. did any of the paperwork given to you by Williams ever leave state grounds while in your possession?

14. isn't it true that Dr. McGuinness became involved in this matter on specifically October 22, 2007?

15. did the personal letter ask you to do anything illegal?

16. please explain how you allege that the personal letter was secreted in the packet of paperwork but then later allege that the packet had been addressed to Lady Cool?

17. please explain how the personal letter attempted to bribe you, if at all?

18. please explain if the personal letter made a specific threat towards you?

19. were you aware that state employees must not discuss their personal affairs with inmates or parolees?

20. do you admit that you violated state policy by discussing and disclosing your personal affairs with Williams?

QUESTIONS FOR INMATE WITNESS HAZARD H-52167 CELL A4 113

- ARE YOU familiar with inmate Williams #V-34678
- do you recall an incident where social worker MARCISSETTE got personal information from inmate Williams and requested legal assistance?
- 1. please explain?
- do you recall Williams ever giving MARCISSETTE a packet of paperwork?
- if so when did you witness this matter and year?
- during your work with MARCISSETTE on October 12, 2007 did you see Williams give MARCISSETTE anything?

QUESTIONS FOR SENIOR PSYCHOLOGIST AND GUINNESS

- 1. ISN'T IT TRUE THAT ON OCTOBER 22, 2007, YOU SUMMONED WILLIAMS FROM HIS CELL FOR A BRIEF ONE ON ONE INTERVIEW?
- 2. HOW SOON AFTER THIS INTERVIEW DID YOU BECOME AWARE OF THE PERSONAL LETTER ALLEGED BY S. MORRISSETTE?
- 3. DID YOU PERSONALLY TAKE THIS INFORMATION TO CAPTAIN PARKER ALONG WITH COUNSELOR CRUIZ?
- 4. DURING YOUR 10-22-07 INTERVIEW WITH WILLIAMS, DID WILLIAMS MAKE ANY MENTION OF MORRISSETTE AND PAPERWORK WHICH HAD NOT BEEN RETURNED TO HIM BY MORRISSETTE?
- 5. DID YOU EVER CONFRONT MORRISSETTE REGARDING THIS ISSUE PRIOR TO MORRISSETTE'S OWN DISCLOSURE TO YOU?
- 6. PLEASE EXPLAIN WHY YOU DID NOT OR FAILED TO IMPOSE DISCIPLINE ON INMATE ZUNIGA WHEN ZUNIGA GAVE A PERSONAL GIFT CARD TO ISHELLE REED PRIOR TO HER DEPARTURE?
- 7. ISN'T IT TRUE THAT YOUR ROLE AND INVOLVEMENT IN THIS ISSUE IS A WAY OF REPRISAL FOR WILLIAMS' LITIGATIONS AND COMPLAINTS AGAINST YOU?
- 8. PLEASE EXPLAIN WHY YOU DID NOT REPORT MORRISSETTE'S VIOLATION OF POLICY IN DISCLOSING PERSONAL INFORMATION ABOUT HERSELF TO WILLIAMS?

QUESTIONS FOR INMATE WILSON DI-104

- 1. ARE YOU FAMILIAR WITH INMATE WILLIAMS #V-34099?
- 2. DO YOU ~~RECALL~~ RECALL OR ABOUT OCTOBER 16, 2007, WHILE WAITING IN LINE FOR THE LIBRARY INMATE WILLIAMS CONFRONTED CENSORED CLINICAL SOCIAL WORKER S. MORRISSETTE REGARDING SOME PAPERS HE HAD GIVEN TO HER, AND DEMANDED BACK?
- 3. DO YOU RECALL MORRISSETTE'S RESPONSE TO WILLIAMS ADVISING THAT HE WANTED HIS LEGAL PAPERS AND ATTORNEY CLIENT COMMUNICATIONS BACK DUE TO DISCLOSING SUCH TO HER IN BRIEF?

EXHIBIT K

ADMINISTRATIVE SEGREGATION Unit Classification

COMMITTEE MEMBERS:

California State Prison Los Angeles County:

November 1, 2007

DEAR SEGREGATION COMMITTEE MEMBERS,

PLEASE TAKE NOTICE THAT PLAINTIFF JOHN W. WILLIAMS
 HEREBY REQUEST THE PRESENCE OF WITNESSES, TO INCLUDE
 THE RULES VIOLATION REPORTING EMPLOYEE MORRISSETTE, AND
 THE SUBMISSION OF DOCUMENTARY EVIDENCE, TO INCLUDE
 THE INVESTIGATIVE EMPLOYEE'S (I.E.) REPORT.

THIS REQUEST WILL BE MADE ON THE GROUND THAT THE
 PRIMARY PURPOSE OF THIS INITIAL HEARING ON THE ADMINISTRATIVE
 SEGREGATION ORDER IS TO DETERMINE THE NEED FOR PLAINTIFF'S
 CONTINUED RETENTION IN ADMINISTRATIVE SEGREGATION; AND IT
 IS PLAINTIFF'S FIRM POSITION THAT I AM NOT A THREAT TO
ANYONE'S PERSON, SAFETY, OR SECURITY; THE SAME AS THE
 LACKING EMPLOYEE (MORRISSETTE) IS NO MORE FRIGHTENED OR
 THREATENED BY ME AS MY PRESENCE AS WAS WHEN SHE
 (MORRISSETTE) INITIATED AND PARTICIPATED IN THE DISCLOSURE
 OF PERSONAL INFORMATION AND COMMUNICATIONS PRIOR TO AND
 DURING THIS INCIDENT; AND TO ALLOW MORRISSETTE TO NOW
HIDE BEHIND A FAKE, BOGUS, AND FABRICATED SAFETY CONCERN
IS NOT ONLY DESPICABLE, BUT A MISCARriage OF JUSTICE.

THIS WRITTEN REQUEST FOR POSTPONEMENT IN ORDER TO
 PRODUCE WITNESSES AND DOCUMENTARY EVIDENCE IS BASED
 PER CAL. CODE OF REG. TITLE 15 SECTION(S) 3337 (REVIEW
 OF SEGREGATION ORDER) (b) AND 3338 HEARING ON
 SEGREGATION HEARING ORDER (c) - THROUGH (i), INCLUDING THE
 13 AND 14TH AMENDMENTS TO THE U.S. CONSTITUTION.

RESPECTFULLY SUBMITTED:

J. W. WILLIAMS 11.1.07:

John W. Williams #V34079

A4-1052

State of California

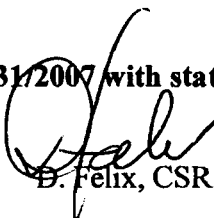
Department of Corrections
CDC 128-G

No. V-34099

NAME: WILLIAMS

Comment: 60 day ASU extension from ICC action of 11-1-07 approved to complete adjudication of pending RVR of 10-19-07 for Unlawful Influence.

Return to CSR no later than 12/31/2007 with status update.


B. Felix, CSR

ATE COPY

Date: 11/13/2007

Classification - CSR ACTION

LAC

[] C.C.C.M.S.

[X] E.O.P.

[] CLEAR

STATE OF CALIFORNIA

804 TO RECORDS: 10/24/07

DEPARTMENT OF CORRECTION

RULES VIOLATION REPORT

INMATE'S NAME HARMON		RELEASE/BOARD DATE	INST. CSP-LAC	HOUSING NO. FD-B1-118L	LOG NO. D07-10-003
VIOLATED RULE NO(S). 3015(a)		SPECIFIC ACTS OUT OF BOUNDS	LOCATION FD-EDUCATION	DATE 10/24/07	TIME 1040 Hour

CIRCUMSTANCES

On Wednesday, October 24, 2007, at approximately 1040 Hours while performing my duties as a Licensed Clinical Social Worker (LCSW), Enhanced Outpatient Program (EOP), I was in the Facility-D, Education Building, Room #4, in a Managing Depression 4 Group. Between 1030 and 1130 Hours, Inmate HARMON, H # ~~118L~~, FD-B1-118L, entered the room and attempted to give me a folded paper with unknown information. I informed HARMON that his name did not appear on the Group Poster and that he was "Out of bounds." However, HARMON continued to attempt to leave said paper. I directed him to leave the room, to return to his assigned group, and to take the paper with him. HARMON was compliant and left the room with the paper.

HARMON is a participant in the Mental Health Delivery System at the Enhanced Outpatient Program level of care.

HARMON is aware of this report.

REPORTING EMPLOYEE (Typed Name and Signature) ▶ S. Morrisette, LCSW.		DATE 10/24/07	ASSIGNMENT EOP Licensed Clinical Social Worker	RDO'S S/S
REVIEWING SUPERVISOR'S SIGNATURE ▶ P. Puerta, Correctional Sergeant		DATE 10/24/07	<input type="checkbox"/> INMATE SEGREGATED PENDING HEARING	
CLASSIFIED <input checked="" type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> SERIOUS	OFFENSE DIVISION: _____	DATE _____	CLASSIFIED BY (Typed Name and Signature) ▶ L. Parker, Facility-D Captain	
			HEARING REFERRED TO <input checked="" type="checkbox"/> HO <input type="checkbox"/> SHO <input type="checkbox"/> SC <input type="checkbox"/> FC	

COPIES GIVEN INMATE BEFORE HEARING

<input checked="" type="checkbox"/> CDC 115	BY: (STAFF'S SIGNATURE) ▶	DATE	TIME	TITLE OF SUPPLEMENT	
<input type="checkbox"/> INCIDENT REPORT LOG NUMBER: _____	BY: (STAFF'S SIGNATURE) ▶	DATE	TIME	BY: (STAFF'S SIGNATURE) ▶	DATE TIME

HEARINGREFERRED TO ☐ CLASSIFICATION ☐ BPT/NAEA

ACTION BY: (TYPED NAME)		SIGNATURE ▶		DATE	TIME
REVIEWED BY: (SIGNATURE) ▶		DATE	CHIEF DISCIPLINARY OFFICER'S SIGNATURE ▶		DATE
		BY: (STAFF'S SIGNATURE) ▶		DATE	TIME

☐ COPY OF CDC 115 GIVEN INMATE AFTER HEARING

EXHIBIT

L

CDC NUMBER V-34099	INMATE'S NAME WILLIAMS	LOG NUMBER D07-10-0024	INSTITUTION CSP-LAC	TODAY'S DATE 11-13-07
<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> CDC 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input checked="" type="checkbox"/> I.E. REPORT <input type="checkbox"/> OTHER: _____				

INVESTIGATIVE EMPLOYEE'S REPORT

On **11-13-07**, I, Correctional Officer A.M. Boak was assigned as the Investigative Employee for RVR Log Number D07-10-0024. S. Morrisette submitted the RVR on **WILLIAMS** for violation of the California Code of Regulations, Title 15, Section 3013 UNLAWFUL INFLUENCE. I informed **WILLIAMS** of my assignment and advised him that my role as the IE is as a fact finder for the Senior Hearing Officer (SHO). **WILLIAMS** had no objection to my serving in this capacity.

On **11-13-2007**, Correctional Officer M. Jamerson (Inmate Staff Assistant) and I interviewed Inmate **WILLIAMS**, V-34099 housed at CSP-LAC, FAB4-149L regarding the aforementioned RVR. Inmate **WILLIAMS** accepted C/O Jamerson for his staff Assistant and said he understood the charge. Inmate **WILLIAMS** did request witnesses be interviewed.

Inmate **WILLIAMS** did request the presence of Staff Witnesses (LCSW S. Morrisette) and did not request the presence of this Investigative Employee at the hearing. Inmate **WILLIAMS** has received all pertinent Supplemental Reports

DEFENDANT'S STATEMENT: Inmate **WILLIAMS** made the following statement: "This incident is a mistake as a result of my being careless, and though mistakes are expected in humans, my mistake has been wrongfully perceived as an act to gain favor or special consideration based on letter which is so clearly and obviously intended for someone other than Morrisette. Morrisette purports in her rules violation report that several personal comments related to her personal experience with food poisoning made her aware that the letter in question was mend for her however, noting in this letter mention anything about Morrisette's personal experience with being food poisoned. In addition, I've never wrote to Morrisette collect, nor do I know any of Morrisette's family or friends. Despite such clear and obvious facts, my mistake will be exploited and made to look in intentional to justify hiring authorities plan to have me adversely removed from CSP-LAC for my legal activity."

REPORTING EMPLOYEE'S STATEMENT: S. Morrisette provided the following testimony:

- Q: What does **WILLIAMS** address you as?
 A: Morrisette.
 Q: Has **WILLIAMS** ever referred to you as "Lady Cool"?
 A: In the letter only.
 Q: Has **WILLIAMS** ever spoke to you in a romantic language?
 A: In the letter only.
 Q: Has **WILLIAMS** ever confessed a romantic interest in you?
 A: In the letter only.
 Q: Are you an attorney or do you work for an attorney?
 A: Irrelevant.
 Q: Does the portions of **WILLIAMS**'s letter, which make reference to attorneys, relate to you personally?
 A: Ask **WILLIAMS**.
 Q: What evidence do you have to support your "feeling" of being threatened by **WILLIAMS**?
 A: Irrelevant.
 Q: Please explain what made **WILLIAMS** letter personal?
 A: Irrelevant.
 Q: Please explain what made **WILLIAMS** letter romantic?
 A: Irrelevant.
 Q: Please define romantic as used in your RVR report?
 A: Irrelevant.
 Q: Did **WILLIAMS**'s letter request any personal information from you?
 A: No.

SIGNATURE OF WRITER <i>A.M. Boak</i> Correctional Officer A.M. Boak		DATE SIGNED 11/19/07	
GIVEN BY: (Staff's Signature) <i>A.M. Boak</i>		DATE SIGNED 11/19/07	TIME SIGNED 1215

☒ COPY OF CDC 115-C GIVEN TO INMATE

CDC NUMBER V-34099	INMATE'S NAME WILLIAMS	LOG NUMBER D07-10-0024	INSTITUTION CSP-LAC	TODAY'S DATE 11-13-07
<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> CDC 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input checked="" type="checkbox"/> I.E. REPORT <input type="checkbox"/> OTHER: _____				

Q: In determining that WILLIAMS letter was written to you, what "several personal comments" do you contend applied to you?
 A: Not Applicable.

Q: did the entire letter itself apply to you, if not please explain?
 A: Irrelevant.

Q: How did WILLIAMS become aware of the information, which you describe as several personal comments?
 A: Use of imagination.

Q: Why was WILLIAMS giving you a packet of paper work in the first place?
 A: Ask WILLIAMS.

Q: Is this the only time WILLIAMS had ever given you a packet of paperwork?
 A: Yes.

Q: did you ever request legal advice/assistance from WILLIAMS ?
 A: No.

Q: Has WILLIAMS ever defied your authority or disrupted any of your classes?
 A: Irrelevant.

Q: You stated that the personal letter was "secreted" in a pack of paper work, how much paperwork was this personal letter secreted behind or within?
 A: No longer have packet of paperwork.

Q: Is it possible that this personal letter could have possibly been in the packet of papers by mistake or error?
 A: No.

Q: What evidence or proof do you have that this personal letter did not make its way in the packet of paperwork by mistake or error?
 A: No proof.

Q: You contend that finding someone "down to earth" is a romantic gesture?
 A: yes.

Q: Isn't it true that WILLIAMS gave you packets of paperwork in early August 2007 and not on October 2007?
 A: No.

Q: Why did you disclose personal information about yourself to WILLIAMS concerning personal comments which you allege only to you?
 A: Irrelevant.

Q: Have you been disciplined or subjected to adverse personnel action as a direct result of your disclosing personal information about yourself to WILLIAMS?
 A: Irrelevant.

Q: At one point prior to receiving the personal letter secreted in the packet of paperwork, didn't you inform WILLIAMS that the real estate market was not good for investments?
 A: Never.

Q: Isn't it true that twice in late August and early September WILLIAMS informed of giving you paperwork in error which you refused to return?
 A: No.

Q: Isn't it true that you only filed this RVR after Dr. E. McGuinness became aware and involved?
 A: No.

Q: Why did you wait so long before reviewing the packet of paperwork given to you by WILLIAMS?
 A: No time.

Q: did any of the paperwork given to you by WILLIAMS ever leave state grounds while in your possession?
 A: Irrelevant.

Q: Isn't it true that Dr. McGuinness became involved in this matter on specifically October 22, 2007?
 Q: Irrelevant.

Q: did the personal letter ask you to do anything illegal?

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER Correctional Officer A.M. Boak	DATE SIGNED 11/19/07	
	GIVEN BY: (Staff's Signature) <i>A.M. Boak</i>	DATE SIGNED 11/19/07	TIME SIGNED 1215

CDC NUMBER V-34099	INMATE'S NAME WILLIAMS	LOG NUMBER D07-10-0024	INSTITUTION CSP-LAC	TODAY'S DATE 11-13-07
<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> CDC 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input checked="" type="checkbox"/> I.E. REPORT <input type="checkbox"/> OTHER: _____				

A: yes.
 Q: Please explain how you allege that the personal letter was secreted in the packet of paperwork but then later allege that the packet had been addressed to lady cool?
 A: Lady cool letter in the package.
 Q: Please explain how the personal letter attempted to bribe you, if at all?
 A: Irrelevant.
 Q: Please explain if the personal letter made a specific threat towards you?
 A: Made me uncomfortable.
 Q: Were you aware that state employees must not discuss their personal affairs with inmates or parolees?
 A: Irrelevant.
 Q: Do you admit that you violated state policy by discussing and disclosing your personal affairs with WILLIAMS?
 A: Irrelevant.

STAFF WITNESS: (Captain L. Parker) provided the following testimony:

Q: Which staff members brought this incident to your attention on 10-23-07?
 A: Dr. McGuinness and CC-I Cruz.
 Q: Why are you allowing Morrisette to exploit state resources by alleging a safety concern simply to justify holding WILLIAMS in segregation?
 A: I am responsible for the safety of staff and inmates, therefore if staff or inmate have safety concerns I will initiate a security action thorough investigation.
 Q: What is Morrisette's discipline for disclosing personal information about herself to WILLIAMS?
 A: Irrelevant, Confidential. The CDC does not disclose such information.
 Q: If Morrisette signed a CDC 181 and violated such policy and regulations regarding conduct and association with inmates how could you not consider Morrisette a threat to the safety and security of your facility?
 A: Irrelevant, I can not house Morrisette.
 Q: Isn't it true that by removing WILLIAMS from the facility on the bogus safety concern you get to appear as if your addressing the concerns which put you in the captains chair on "D" Facility in the face of Warden haws and outside agencies?
 A: This has no merit.

STAFF WITNESS: Dr. McGuinness provided the following testimony:

Q: Isn't it true that on October 22, 2007 you summoned WILLIAMS from his cell for a brief one on one interview?
 A: I don't remember.
 Q: How soon after this interview did you become aware of the personal letter alleged by S. Morrisette?
 A: Not aware of the letter until the next day.
 Q: Did you personally take this to Captain Parker and along with counselor Cruz?
 A: Yes.
 Q: during your 10-22-07 interview with WILLIAMS, did WILLIAMS make any mention of Morrisette and paperwork which had not been returned to him by Morrisette?
 A: No.
 Q: please explain why you didn't or failed to impose discipline on inmate ZUNIGA when ZUNIGA gave a personal gift card to Michelle Reed prior to her departure?
 A: I do not discuss any patient with another patient.
 Q: Isn't it true that your role and involvement in this issue is your way of reprisal for WILLIAMS litigations and complains against you?
 A: No.
 Q: Please explain why did you not report Morrisette's violation of policy in disclosing personal information about herself to WILLIAMS.
 A: No reason to think she did disclose personal information.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER Correctional Officer A.M. Boak		DATE SIGNED 11/19/07
	GIVEN BY: (Staff's Signature) A.M. Boak	DATE SIGNED 11/19/07	TIME SIGNED 1215

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

SS:

(C.C.F., §446 & §2015.5; 28 U.S.C., §1746)

I, John W. Williams, declare under penalty of perjury that:

I am the Plaintiff in the above-entitled action; I have read the foregoing documents and know the contents thereof, and the same is true of my own knowledge, except as to those matters stated therein upon information and belief, and as to those, I believe them to be true.

Executed this 28th day of November 07, at California State Prison - Lancaster, California 93536-7620

Signature: [Signature]

(Declarant/Petitioner)

PROOF OF SERVICE

[C.C.F., §446 & §2015.5; 28 U.S.C., §1746]

I, John W. Williams, am a resident of California State Prison - in the County of Los Angeles, State of California. I am over the age of eighteen (18) and AM/AM NOT a party of the above-entitled action. My State Prison address is: 44750 60th Street West; Lancaster, California 93536-7620.

On November 28, 2007 I served the following documents:

B32.5 CITIZEN'S COMPLAINT PURSUANT TO THE CIVIL RIGHTS ACT OF 1964
FOR CRIMINAL RIGHTS, RETALIATION, AND UNLAWFUL PUNISHMENT
IN VIOLATION OF TITLE 18 (UNITED STATES CODE) SECTIONS 241, 242, AND 245, 1ST, 6TH, 8TH
AND 14TH AMENDMENTS TO THE UNITED STATES CONSTITUTION WITH RECORDED
CRIMINAL ACTIVITY AND (Set forth the exact title of document(s) served)
MALEFEASANCE.

On the party(ies) herein by placing a true copy(ies) thereof, enclosed in sealed envelope(s), with postage thereon fully paid, or with a Trust Withdrawal Slip (CDC-190) attached thereof, in the United States Mail, in the manner provided by at the California State Prison, Lancaster, California 93536-7620, addressed as follows:

U.S. DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 CONNIE E. SMITH SUPERVISORY SENIOR
 RESIDENT AGENT/FIN. CLK 3B19
 VENTURA, CALIF 93006

SUPERIOR COURT OF CALIF
 COUNTY OF LOS ANGELES
 GRACE JURY ROOM
 210 W. TEMPLE STREET
 LOS ANGELES, CALIF 90012

LEGAL AID SOCIETY -
 EMPLOYMENT LAW CENTER
 600 HARRISON ST, SUITE #120
 SAN FRANCISCO, CA 94107

OFFICE OF INSPECTOR GENERAL
 ERIC MCCLELLAN, DEPUTY
 SPECTOR GENERAL, SENIOR
 FIN. CLK 34B7B0, SACRAMENTO, CA

OFFICE OF INTERNAL
 AFFAIRS
 FIN. CLK 3005
 SACRAMENTO, CA

ASSOCIATE WARDEN R. W.
 DIPPES
 CSP - LOS ANGELES COUNTY
 44750 60TH ST WEST
 LANCASTER CALIF 93536

There is delivery service by the United States mail at the place so addressed and/or there is regular communication by mail between the place of mailing and the place addressed. I declare under penalty of perjury that the foregoing is true and correct.

Dated: 11/28/07

[Signature]
 Declarant/Petitioner